STATE OF NEW YORK

6553

2021-2022 Regular Sessions

IN SENATE

May 5, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to authorize the town of Yorktown, county of Westchester, to alienate and discontinue the use of certain parklands

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to the provisions of this act, the town of Yorktown, county of Westchester, acting by and through its governing body, and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands the lands more particularly described in section three of this act, for the purpose of entering into a twenty-five year lease with HESP Solar LLC for the construction of a solar facility, including a canopy system, ground mount system and energy storage unit, and four electric vehicle charging stations at the Granite Knolls Sports Complex.

§ 2. The authorization contained in section one of this act shall take effect only upon the condition that the town of Yorktown shall dedicate an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or capital improvements to existing park and recreational facilities.

§ 3. The lands authorized by section one of this act to be discontinued as parklands are described as follows:

BEGINNING at a point on the westerly side of Stoney Street adjoining the northerly line of land now or formerly North McLean;

THENCE running along the northerly line of said last mentioned land and most of the way along a post and wire fence,

North 84 Degrees 41'28" West 298.64 feet

THENCE continuing along the northerly line of said land now or formerly of North McLean and along the center line of said stone wall, the following courses and distances:

North 81 Degrees 04'40" West 42.06 feet

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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South 01 Degrees 07' West 3.33 feet
North 85 Degrees 14' West 35.04 feet
North 14 Degrees 02' West 4.84 feet
North 83 Degrees 41' West 14.21 feet
South 77 Degrees 58' West 13.69 feet
North 86 Degrees 29' West 22.92 feet
North 11 Degrees 19' West 3.94 feet
North 84 Degrees 41'08" West 240.29 feet
North 85 Degrees 59'01" West 129.79 feet
North 85 Degrees 18'06" West 513.33 feet
North 85 Degrees 20'10" West 193.78 feet and
North 87 Degrees 05' West 209.61 feet to the easterly line of land now or formerly of Alpine Woods Inc.;

THENCE running along the easterly line of said last mentioned land,

North 04 Degrees 54'00" East 476.74 feet to an angle point in said land of Alpine Woods, Inc.; and

THENCE running along the southerly line of said last mentioned land,

South 83 Degrees 16'00" East 865.17 feet to a corner of said last mentioned land; and

THENCE running along the easterly line of said land now or formerly of Alpine Woods Inc., and most of the way along the center line of a stone wall, the following courses and distances:

North 35 Degrees 20' East 141.56 feet
North 22 Degrees 29' East 23.72 feet
North 37 Degrees 30' East 33.20 feet
North 29 Degrees 34' East 86.35 feet
North 31 Degrees 23' East 253.15 feet
North 29 Degrees 22' East 273.66 feet and
North 29 Degrees 39' East 237.77 feet to another corner of said land now or formerly of Alpine Woods Inc.;

THENCE running along the northerly line of said last mentioned land and most of the way along the center line of a stone wall, the following courses and distances:

North 84 Degrees 23'20" West 93.01 feet
North 85 Degrees 03'30" West 209 feet
North 72 Degrees 50'50" West 65.82 feet
North 70 Degrees 11'40" West 120.44 feet
North 69 Degrees 39'20" West 128.03 feet
North 74 Degrees 52'30" West 36.55 feet to the northwest corner of said land now or formerly of Alpine Woods Inc., and the easterly line of land shown on Map of Subdivision of Knollward Section, Property belonging to Alpine Woods Inc. by J. Henry Carpenter & Co Surveyors, dated August 15, 1941, and filed in the Office of the County Clerk, Division of Land Records, Westchester County, New York, on October 30, 1941 as Map No. 5465;

RUNNING THENCE along said land shown on said map, North 69 Degrees 03'30" West 67.46 feet to an angle point in said land shown on said map;

THENCE running along the easterly line of Lots 5 and 4 shown on said map and along the center line of a stone wall, the following courses and distances:

North 34 Degrees 11'50" East 61.80 feet
North 29 Degrees 21'50" East 79.95 feet
North 26 Degrees 18'40" East 85.19 feet
North 36 Degrees 32'30" East 8.61 feet and

North 27 Degrees 44'10" East 9.88 feet to another stone wall and another angle point in said land shown on said map and lands now or formerly of the New York Province of the Society of Jesus.

RUNNING THENCE along said lands South 84 Degrees 26'40" East 1183.97 feet, South 84 Degrees 05'10" East 323.71 feet and South 81 Degrees 07'10" East 434.67 feet to the westerly side of Stoney Street;

THENCE running along the westerly side of Stoney Street:

South 10 Degrees 17'10" West 72.12 feet

South 08 Degrees 45'20" West 63.03 feet

South 09 Degrees 23'40" West 81.85 feet

South 04 Degrees 45'52" West 139.08 feet and

South 02 Degrees 27'27" West 128.86 feet to the point of beginning.

§ 4. In the event that the town of Yorktown received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Yorktown has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 5. This act shall take effect immediately.