STATE OF NEW YORK

7647

2023-2024 Regular Sessions

IN ASSEMBLY

May 26, 2023

Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT authorizing the town of Southampton, county of Suffolk, to alienate certain parklands for the purpose of installing an algae skimmer in Lake Agawam, and to replace such alienated parkland with a new, dedicated parkland

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 Southampton, acting by and through its governing body and upon such terms and conditions as determined by such board is hereby authorized to discontinue as parklands and alienate the lands described in section three of this act for the purpose of installing an algae skimmer to assist with the removal of blue-green algae in Lake Agawam.

§ 2. The authorization provided for in section one of this act shall be effective only upon the condition that the town of Southampton dedicates the lands described in section four of this act as parkland, provided that the town of Southampton has never used such lands for public open space or park purposes.

§ 3. The parklands authorized by section one of this act to be alienated consist of 1.6 acres and are described as follows:

All that certain, piece or parcel of land situate, lying and being in the Incorporated Village of Southampton, Town of Southampton, County of Suffolk and State of New York, being more particularly bounded and described as follows:

Beginning at a point on the easterly line of the property being described, said point being the following four courses and distances from the point formed by the intersection of the southerly line of Jobs Lane and the westerly line of South Main Street:

1. South 07° 22' 00" East for a distance of 395.80 feet;
2. South 84° 30' 40" West for a distance of 145.93 feet;

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

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3. South 57° 17' 10" West for a distance of 82.02 feet;
4. South 59° 17' 40" West for a distance of 214.67 feet to the point or place of beginning;

Running thence from the point of beginning along the land now or formerly of Johnson Navarre Properties, LLC South 33° 07' 40" East for a distance of 130.04 feet to a point and the land now or formerly of Karl Krieger;

Running thence along the land now or formerly of Karl Krieger and the land now or formerly of 71 South Main Street Southampton, LLC South 57° 03' 50" West for a distance of 385.07 feet to a point and tie line along the average high water of Lake Agawam (as measured on March 30, 2006);

Running thence along said tie line North 18° 50' 30" West for a distance of 12.34 feet to a point and the land now or formerly of Village of Southampton;

Running thence along the land now or formerly of Village of Southampton the following courses and distances:

1. North 58° 34' 00" East for a distance of 47.94 feet;
2. North 14° 24' 30" West for a distance of 224.18 feet;
3. North 61° 21' 40" East for a distance of 77.11 feet;
4. North 61° 17; 00" East for a distance of 179.41 feet to a point and the land now of formerly of Johnson Navarre Properties, LLC;

Running thence along the land now or formerly of Johnson Navarre Properties, LLC South 33° 07' 40" East for a distance of 93.22 to the point of place of beginning. Said parcel containing 69,989 square feet or 1.607 acres.

§ 4. Prior to the discontinuance and alienation of the parkland described in section three of this act, the town of Southampton shall dedicate as parkland such land consisting of 5.6205 acres described as follows:

All that certain, piece or parcel of land situate, lying and being in the Incorporated Village of Southampton, Town of Southampton, County of Suffolk and State of New York, being known as Lot No.4 on a certain subdivision map titled Subdivision Map of FHW Limited Partnership LTD, said subdivision map being filed in the Office of the Suffolk County Clerk on December 05, 2008 as Map No. 11665 and said Lot No. 4 being more particularly bounded and described as follows:

Beginning at a point along the westerly line of Pond Lane said point being situate the following two courses and distances from the point formed by the intersection of the westerly line of Pond Lane with southerly line of Culver Street:

1. South 01° 24' 10" East, 655.41 feet;
2. South 12° 22' 15" East, 180.32 feet;

Running thence along the west line of Pond Lane the following two courses and distances:

1. South 12° 22' 15" East 89.00 feet to a concrete monument;
2. South 09° 23' 40" East 344.44 feet to Lot 5 of said map;

Thence along Lot 5 of said map North 80° 36' 20" West 578.28 feet to the land now or formerly of Chips Chapman Page Revocable Trust;

Thence along the land now or formerly of Chips Chapman Page Revocable Trust and the land now or formerly of Valerie Rocks North 00° 56' 50" East 56.87 feet to a concrete monument;

Thence along the land now or formerly of Valerie Rooks and Lot 1 of said map North 11° 22' 43" East, 334.73 feet to Lot 2 of said map;

Thence along 2 of said map the following two courses and distances:

1. South 78° 17' 07" East, 131.31 feet;
2. North 11° 42' 53" East, 58.22 feet to Lot 3 of said map;

Thence along Lot 3 of said map South 78° 17' 07" East 408.83 feet to the point or place of beginning. Said parcel containing 244,830 square feet or 5.6205 acres.

§ 5. In the event that the fair market value of the parklands described in section four of this act to be dedicated by the town of Southampton pursuant to this act are not equal to or greater than the fair market value of the parklands to be alienated as described in section three of this act, the town of Southampton shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or capital improvements to existing park and recreational facilities.

§ 6. In the event that the town of Southampton 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 Southampton 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.

§ 7. This act shall take effect immediately.