STATE OF NEW YORK

6244--A

2023-2024 Regular Sessions

IN SENATE

April 6, 2023

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the town of Hempstead to transfer ownership of certain parkland to the village of Freeport

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

Section 1. (a) Subject to the provisions of this act, the town of Hempstead, county of Nassau, acting through its governing body is hereby authorized to discontinue the use of town parkland more particularly described in section two of this act, and to convey its interest in the real property to the village of Freeport upon terms agreed upon by the town of Hempstead and the village of Freeport for use by such village of Freeport for park and/or recreational purposes, provided, however, that such village of Freeport shall continue to provide access to such parkland and/or recreational facilities to all residents of the town of Hempstead and the village shall not enact any fees or charges which are higher for town residents who are not village residents for current or future park or recreational uses at the property described in section two of this act.

(b) Any revenues received by the town of Hempstead from the transfer shall be used for capital improvements of existing park or recreational and/or the acquisition of additional park or recreational facilities.

§ 2. The parklands authorized to be conveyed by the town of Hempstead in section one of this act are located, bounded and described as follows:

ALL that certain plot, piece or parcel of land together with the improvements thereon, situate, lying and being in the Incorporated Village of Freeport, Town of Hempstead, County of Nassau, State of New

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

LBD10720-05-4

York being known and designated as and by Section 62 Block C Lot 102 on the Land and Tax Map of Nassau County bounded and described thereon as follows:

BEGINNING at a point on the easterly side of So. Grove Street a/k/a Guy Lombardo Boulevard, distant 343.87 feet southerly from the corner formed by the intersection of the easterly side of So. Grove Street with the southerly side of Howard Avenue, which said point of beginning is also the corner formed by the intersection of the easterly side of So. Grove Street with the southerly side of Anchorage Way;

RUNNING THENCE the following four (4) courses and distances along the easterly side of So. Grove Street:

1. Southerly, 703.92 feet, to an angle point in said easterly side of So. Grove Street;

2. Southeasterly, 305.76 feet to another angle point in said easterly side of So. Grove Street;

3. Southeasterly, 403.71 feet to another angle point in said easterly side of So. Grove Street;

4. Southerly, 470 feet to the northerly line of Tax Lot 151, Section 62, Block 102 on the said Land and Tax Map of Nassau County;

RUNNING THENCE the following three (3) courses and distances along the northerly and easterly lines of said Tax Lot 151, Section 62, Block 102:

1. Easterly, along the northerly line of said tax lot, 63.0 feet to a point on the easterly line of said tax lot;

2. Southerly, along the easterly line of said tax lot, 249.70 feet to an angle point in said easterly line of said tax lot;

3. Southerly, still along the easterly line of said tax lot, 70.00 feet to The Narrows (Freeport River);

RUNNING THENCE Easterly, along The Narrows, 740 feet more or less to the westerly line of Hudson Bay;

RUNNING THENCE along the westerly line of Hudson Bay, 1100 feet more or less to the southerly line of Tax Lot 103, Section 62, Block C;

THENCE Westerly, along the southerly line of said tax lot, 96.39 feet, to a point on the westerly line of said tax lot;

RUNNING THENCE Northwesterly, along the said westerly line of said tax and the westerly lines of Tax Lots 104 and 471, 294.78 feet to the northwesterly side of Anchorage Way;

RUNNING THENCE the following six (6) courses and distances along the southwesterly and southerly sides of Anchorage Way:

1. Northwesterly, 315.69 feet to an angle point in the southwesterly side of Anchorage Way;

2. Northwesterly, 300.48 feet to another angle point in the southwesterly side of Anchorage Way;

3. Westerly, 83.70 feet, along the southwesterly and southerly side of Anchorage Way to another angle point in the southerly side of Anchorage Way;

4. Westerly, along the southerly side of Anchorage Way, 83.70 feet to another angle point in the southerly side of Anchorage Way;

5. Westerly, along the southerly side of Anchorage Way, 182.87 feet to another angle point in the southerly side of Anchorage Way;

6. Westerly, along the southerly side of Anchorage Way, 272.96 feet to another angle point in the southerly side of Anchorage Way; and,

7. Westerly, along the southerly side of Anchorage Way, 110.15 feet to the point or place of BEGINNING. Containing 39 acres of land, more or less.

§ 3. The land to be transferred pursuant to this act and all structures and facilities situated on such land shall be maintained, owned

and operated for park purposes by the village of Freeport. The use of such parkland and facilities and future park or recreational uses at the property described in section two of this act shall continue to be made available to the general public of the state of New York, including all residents of the town of Hempstead and the village of Freeport. Where the availability of such facilities is limited, use of such facilities must be determined by an equitable method.

§ 4. Should the lands described in section two of this act cease to be used for the purposes described in section one of this act, those lands shall revert to the town of Hempstead for public park and recreational purposes.

§ 5. In the event that the town of Hempstead received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section two of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Hempstead 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 ensure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 6. This act shall take effect immediately.