STATE OF NEW YORK

9212--A

IN SENATE

May 6, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing 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, is hereby authorized, acting by and through its governing body, and upon such terms and conditions as determined by such governing body, to discontinue the use as parkland and alienate the lands described in section three of this act for use as a cell tower.

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

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

ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE TOWN OF YORKTOWN, COUNTY OF WESTCHESTER AND STATE OF NEW YORK AND BEING A PORTION OF LAND CONVEYED TO THE TOWN OF YORKTOWN, A MUNICIPAL CORPORATION BY INSTRUMENT NUMBER 460060131 IN THE WESTCHESTER COUNTY CLERK'S OFFICE BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING LOCATED ON THE NORTHEASTERLY BOUNDS OF GRANITE SPRINGS ROAD, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF TAX PARCEL 27.11-1-34, BEING OWNED NOW OR FORMERLY BY DOUGLAS AND KAREN ERICKSON, THENCE FROM SAID POINT OF COMMENCEMENT ALONG THE NORTHEASTERLY BOUNDS OF GRANITE SPRINGS ROAD N. 62° 39' 43" W., 73.24' TO THE POINT AND PLACE OF BEGINNING, THENCE FROM SAID POINT OF BEGINNING THROUGH THE SAID LANDS OF TOWN OF YORKTOWN, A MUNICIPAL CORPORATION, THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES:

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

LBD15455-03-4

(1) ON A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00' AND A LENGTH OF CURVE OF 47.11' WITH CHORD BEARING OF N. 17° 23' 45.46" W., THENCE
(2) N. 27° 20' 17" E., 170.00', THENCE
(3) S. 85° 45' 34" E., 79.00', THENCE
(4) N. 20° 28' 43" E., 65.00', THENCE
(5) N. 40° 16' 31" E., 80.00', THENCE
(6) N. 69° 36' 12" E., 56.66', THENCE
(7) N. 82° 14' 39" E., 107.19', THENCE
(8) N. 07° 40' 18" W., 130.04', THENCE
(9) S. 82° 19' 42" W., 134.45', THENCE
(10) S. 36° 27' 01" W., 182.30', THENCE
(11) ON A CURVE TO THE LEFT HAVING A RADIUS OF 200.00' AND A LENGTH OF CURVE OF 136.86' WITH CHORD BEARING OF S. 46° 33' 46.98" W., THENCE
(12) S. 27° 20' 17" W., 170.00', THENCE
(13) ON A CURVE TO THE RIGHT HAVING A RADIUS OF 47.12' AND A LENGTH OF CURVE OF 30.00Æ WITH CHORD BEARING OF S. 72° 12' 10.93" W., TO A POINT ON THE NORTHEASTERLY BOUNDS OF GRANTIE SPRINGS ROAD, THENCE ALONG SAID NORTHEASTERLY BOUNDS
(14) S. 62° 39' 43" E., 110.00' THE POINT AND PLACE OF BEGINNING, CONTAINING 51,109 SQ. FEET or 1.173 acres, MORE OR LESS.

§ 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 parklands 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.