

STATE OF NEW YORK

6726

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT authorizing the county of Nassau to alienate and sell parklands to Lakeside Inn, Inc.

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

1 Section 1. Subject to the provisions of this act, the county of
2 Nassau, acting by and through its governing body and upon such terms and
3 conditions as determined by such body is hereby authorized to discontin-
4 ue as parklands and alienate the lands more particularly described in
5 section three of this act to Lakeside Inn, Inc., for the purpose of
6 residential improvements.

7 § 2. The authorization provided in section one of this act shall be
8 effective only upon the condition that Lakeside Inn, Inc., convey to the
9 county of Nassau, and that the county of Nassau acquire and dedicate the
10 lands described in section four of this act as parklands, provided that
11 the county of Nassau has never used such lands for public open space or
12 park purposes.

13 § 3. The parklands authorized by section one of this act to be alien-
14 ated are described as follows:

PARCEL A

15
16 Beginning at a point at the end of the following continuous two cours-
17 es and distances from the corner formed by the intersection of the
18 southerly side of Lakeside Place and the easterly side of Milburn
19 Avenue;

20 (1) Southerly along the easterly side of Milburn Avenue from the
21 corner formed by the intersection of the southerly side of Lakeside
22 Place and the easterly side of Milburn Avenue 688.84 feet.

23 (2) South 79 degrees 44 minutes East 159.13 feet to a point, said
24 point being South 25 degrees 48 minutes West 110.45 feet from a copper
25 plug in concrete, and said point being the point or place of beginning;

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

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1 Thence running South 79 degrees 44 minutes East 3.84 feet to a point;
2 Thence South 26 degrees 45 minutes 18 seconds West 36.53 feet to a
3 point;
4 Thence north 65 degrees 20 minutes 07 seconds West 3.09 feet to a
5 point; said point being North 25 degrees 48 minutes East 249.05 feet
6 from a stone monument;
7 Thence North 25 degrees 48 minutes East 35.56 feet to the point or
8 place of beginning.
9 Containing a total of approximately 122 sq. ft or 0.0028 acres, more
10 or less.

PARCEL B

11
12 Beginning at a point at the end of the following continuous three
13 courses and distances from the corner formed by the intersection of the
14 southerly side of Lakeside Place and the easterly side of Milburn
15 Avenue:

16 (1) Southerly along the easterly side of Milburn Avenue from the
17 corner formed by the intersection of the southerly side of Lakeside
18 Place and the easterly side of Milburn Avenue 688.84 feet.

19 (2) South 79 degrees 44 minutes East 159.13 feet.

20 (3) South 25 degrees 48 minutes West 165.47 feet to a point, said
21 point being South 25 degrees 48 minutes West 275.92 feet from a copper
22 plug in concrete and said point being the point or place of beginning;
23 thence running South 21 degrees 39 minutes West 24.04 feet to a point;
24 thence South 25 degrees 42 minutes 02 seconds West 64.24 feet to a
25 point;

26 thence South 29 degrees 13 minutes 41 seconds West 30.97 feet to a
27 point, said point being a stone monument South 80 degrees 57 minutes
28 East 53.92 feet from the easterly side of Milburn Avenue;

29 thence North 25 degrees 48 minutes East 119.14 feet to the point or
30 place of beginning.

31 Containing a total of approximately 165 sq. ft. or 0.0038 acres, more
32 or less.

33 § 4. The replacement lands to be conveyed to the county and dedicated
34 as parkland are described as follows:

35 Beginning at a point at the end of the following continuous three
36 courses and distances from the corner formed by the intersection of the
37 southerly side of Lakeside Place and the easterly side of Milburn
38 Avenue:

39 (1) Southerly along the easterly side of Milburn Avenue from the
40 corner formed by the intersection of the southerly side of Lakeside
41 Place and the easterly side of Milburn Avenue 688.84 feet.

42 (2) South 79 degrees 44 minutes East 159.13 feet.

43 (3) South 25 degrees 48 minutes West 35.56 feet to a point, said point
44 being South 25 degrees 48 minutes West 146.01 feet from a copper plug in
45 concrete and said point being the point or place of beginning;

46 Thence running South 25 degrees 48 minutes West 129.91 feet to a
47 point, said point being North 25 degrees 48 minutes East 119.14 feet
48 from a stone monument;

49 Thence North 21 degrees 39 minutes East 35.02 feet to a point;

50 Thence North 17 degrees 03 minutes 21 seconds East 36.38 feet to a
51 point;

52 Thence South 72 degrees 52 minutes 25 seconds East 7.13 feet to a
53 point;

54 Thence North 26 degrees 12 minutes 34 seconds East 57.94 feet to a
55 point;

1 Thence South 65 degrees 20 minutes 07 seconds East 0.61 feet to the
2 point or place of beginning.

3 Containing a total of approximately 287 sq. ft. or 0.0066 acres, more
4 or less.

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

13 § 6. In the event that the county of Nassau received any funding
14 support or assistance from the federal government for the purchase,
15 maintenance or improvement of the parklands set forth in section three
16 of this act, the discontinuance and alienation of such parkland author-
17 ized by the provisions of this act shall not occur until Nassau county
18 has complied with any federal requirements pertaining to the alienation
19 or conversion of parklands, including satisfying the secretary of the
20 interior that the alienation or conversion complies with all conditions
21 which the secretary of the interior deems necessary to assure the
22 substitution of other lands shall be equivalent in fair market value and
23 usefulness to the lands being alienated or converted.

24 § 7. This act shall take effect immediately.