STATE OF NEW YORK

6726--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Subject to the provisions of this act, the county of Nassau, 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 and alienate the lands more particularly described in section three of this act to Lakeside Inn, Inc., for the purpose of residential improvements.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that Lakeside Inn, Inc., convey to the county of Nassau, and that the county of Nassau acquire and dedicate the lands described in section four of this act as parklands, provided that the county of Nassau 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 are described as follows:

PARCEL A

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Baldwin, Nassau County, State of New York, and bounded and described by the following:

Beginning at a point at the end of the following continuous two courses and distances from the corner formed by the intersection of the southerly side of Lakeside Place and the easterly side of Milburn Avenue;

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

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

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

Thence running South 79 degrees 44 minutes East 3.84 feet to a point;

Thence South 26 degrees 45 minutes 18 seconds West 36.53 feet to a point;

Thence north 65 degrees 20 minutes 07 seconds West 3.09 feet to a point; said point being North 25 degrees 48 minutes East 249.05 feet from a stone monument;

Thence North 25 degrees 48 minutes East 35.56 feet to the point or place of beginning.

Containing a total of approximately 122 sq. ft or 0.0028 acres, more or less.

PARCEL B

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Baldwin, Nassau County, State of New York, and bounded and described by the following:

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

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

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

(3) South 25 degrees 48 minutes West 165.47 feet to a point, said point being South 25 degrees 48 minutes West 275.92 feet from a copper plug in concrete and said point being the point or place of beginning;

thence running South 21 degrees 39 minutes West 24.04 feet to a point;

thence South 25 degrees 42 minutes 02 seconds West 64.24 feet to a point;

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

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

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

§ 4. Prior to the discontinuation and alienation of the parklands described in section three of this act, Lakeside Inn, Inc., shall convey to the county of Nassau and the county of Nassau shall acquire and dedicate as parklands such land described as follows:

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Baldwin, Nassau County, State of New York, and bounded and described by the following:

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

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

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

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

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

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

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

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

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

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

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

§ 5. In the event that the fair market value of the parklands described in section four of this act to be dedicated as parkland by the county of Nassau 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 county of Nassau 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 county of Nassau 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 Nassau county 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.