STATE OF NEW YORK

7284

2023-2024 Regular Sessions

IN ASSEMBLY

May 17, 2023

Introduced by M. of A. TANNOUSIS -- read once and referred to the Committee on Environmental Conservation

AN ACT to extend a term estate and making certain other changes relating to property known as Henry Kaufmann Campgrounds in the borough of Staten Island, city of New York

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

Section 1. This act affects certain real property known as and operated as a part of the Henry Kaufmann Campgrounds in Staten Island, New York that was acquired, subject to the reservation of certain rights by the grantor, from United Jewish Appeal-Federation of Jewish Philanthropies of New York, Inc. (hereinafter "UJA"), a New York not-for-profit corporation, by The People of the State of New York, acting by and through the commissioner of environmental conservation (hereinafter the "commissioner") pursuant to a deed (hereinafter the "deed") dated January 3, 1990, and recorded in the Richmond county clerk's office on January 4, 1990 in book 2321, Page 102, which real property is described more particularly in section two of this act. The deed references and is subject to that certain "Agreement Providing for Reservation of a Term Estate by the Grantor of Real Property Being Acquired by the People of the State of New York Under Article 3, Title 3, Section 3-0305 of the Environmental Conservation Law", between UJA and The People of the State of New York, acting by and through the commissioner (hereinafter the "agreement"), dated December 28, 1989, and recorded in the Richmond county clerk's office on January 4, 1990, in Book 2321, Page 134.

§ 2. The real property that is the subject of the deed and the agreement is described in the deed as follows (in the deed the term "Grantor" means UJA, and the term "Grantee" means The People of the State of New York, acting by and through the commissioner):

ALL THAT PIECE OR PARCEL OF LAND, LYING, SITUATE AND BEING in the borough of Richmond (Staten Island), County of Richmond, City and State

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

LBD10827-01-3

of New York and being more particularly bounded and described as follows:

BEGINNING at a point on the southeasterly margin of Manor Road at its intersection with the northeasterly margin of Yates Avenue, a paper street; thence northeasterly, northerly, northeasterly and northerly along the margin of Manor Road, the following five (5) courses and distances:

1) North 24 degrees 25 minutes 39 seconds East, 1,276.61 feet to a point;

2) North 49 degrees 23 minutes 26 seconds East, 109.29 feet to a point;

3) North 03 degrees 23 minutes 00 seconds West, 30.38 feet to a point;

4) North 49 degrees 35 minutes 00 seconds East, 640.81 feet to a point;

5) North 02 degrees 32 minutes 40 seconds West, 139.45 feet to a point; said point being the southwesterly corner of lands now or formerly of Joseph Piccolomini and Angelina C. Piccolomini by deed dated December 17, 1962 and recorded in Liber 1594 of Deeds at page 5 in the Richmond County Clerk's Office; thence along the previously mentioned lands, North 88 degrees 32 minutes 20 seconds East, 128.03 feet to a point in the westerly margin of lands now or formerly of Laura Destefano by deed dated April 22, 1982 and recorded on Reel 6 of deeds at page 564 on June 11, 1982 in the Richmond Country Clerk's Office; thence southerly along the westerly margins of lands now or formerly Destefano, Alvarado and Nilsen, South 01 degrees 27 minutes 40 seconds East, 150.00 feet to the southwesterly corner of lands now or formerly of Arne J. Nilsen and Kari H. Nilsen by deed dated August 16, 1957 and recorded in Liber 1400 of Deeds at page 340 in the Richmond County Clerk's Office; thence continuing along the lands of Nilsen, North 88 degrees 32 minutes 20 seconds East, 100.00 feet to the westerly margin of Peru Street; thence southerly along the westerly margin of Peru Street, South 01 degrees 27 minutes 40 seconds East, 915.00 feet to a point; thence easterly along the southerly margin of Pitt Avenue, North 88 degrees 32 minutes 20 seconds East, 520.00 feet to a point in the easterly margin of Bogert Avenue; thence northerly along the easterly margin of Bogert Avenue, North 01 degrees 27 minutes 40 seconds West, 235.00 feet to a point in the southerly margin of Morse Avenue; thence easterly along the southerly margin of Morse Avenue, North 88 degrees 32 minutes 20 seconds East, 281.28 feet to the westerly margin of lands now or formerly known as the Richmond Parkway; thence southerly along the westerly margin of said Richmond Parkway, South 05 degrees 43 minutes 52 seconds East, 235.66 feet to a point; thence continuing southerly and along the westerly margin of the Richmond Parkway on a curve to the right having a radius of 1328.72 feet, central angle of 10 degrees 45 minutes 13 seconds, 249.38 feet to a point of compound curvature; thence continuing southerly along the westerly margin of said Richmond Parkway, along a curve to the right having a radius of 7,850.00 feet, central angle of 09 degrees 46 minutes 41 seconds, 1,339.68 feet to a point of compound curvature; thence continuing southerly and along the westerly margin of the Richmond Parkway on a curve to the right having a radius of 3,982.81 feet, central angle of 02 degrees 31 minutes 46 seconds, 175.84 feet (chord bearing = South 16 degrees 03 minutes 52 seconds West, 175.82 feet) to a point, said point being the northeast corner of lands now or formerly of the Greater New York Councils, Boy Scouts of America, by deed dated February 25, 1949 and recorded in Liber 1067 of Deeds at page 502 in the Richmond County Clerk's Office on March 2, 1949; thence

northwesterly, southwesterly and northwesterly along the lands now or formerly of the Greater New York Councils, Boy Scouts of America, the following four (4) courses and distances:

1) North 54 degrees 13 minutes 34 seconds West, 14.48 feet to a point;

2) North 56 degrees 39 minutes 35 seconds West, 705.86 feet to a point;

3) South 27 degrees 01 minutes 06 seconds West, 253.50 feet to a point;

4) North 45 degrees 38 minutes 00 seconds West, 499.06 feet to a point; said point being on the southeasterly terminus of Yates Avenue, a paper street; thence northeasterly along the southeasterly terminus of the said Yates Avenue, North 25 degrees 37 minutes 40 seconds East, 31.05 feet to a point on the northeasterly margin of Yates Avenue; thence northwesterly along the northeasterly margin of Yates Avenue, North 63 degrees 44 minutes 59 seconds West, 922.22 feet to the point and place of beginning.

RESERVING to the Grantor, in fee, an 18-acre parcel of land lying within the bounds of the above-described premises over which the Grantor will grant a conservation easement to the Grantee by instrument of even date and intended to be recorded prior to or simultaneously with this deed and which parcel of land is more particularly described as follows:

BEGINNING at a point on the southeasterly margin of Manor Road, distant 611.09 feet northeasterly from its intersection with the northeasterly margin of Yates Avenue, a paper street; thence continuing along said margin of Manor Road generally northeasterly, northerly and northeasterly the following four (4) courses and distances;

1) North 24 degrees 25 minutes 39 seconds East, 665.52 feet to a point;

2) North 49 degrees 23 minutes 26 seconds East, 109.29 feet to a point;

3) North 03 degrees 23 minutes 00 seconds West, 30.38 feet to a point;

4) North 49 degrees 35 minutes 00 seconds East, 176.97 feet to a point; thence through and along said lands, the following eleven (11) courses and distances:

1) Due East, 252.70 feet to a point;

2) South 11 degrees 08 minutes 27 seconds East, 384.67 feet to a point;

3) South 42 degrees 34 minutes 40 seconds East, 433.41 feet to a point;

4) South 55 degrees 19 minutes 40 seconds East, 497.57 feet to a point;

5) South 34 degrees 40 minutes 20 seconds West, 180.00 feet to a point;

6) North 55 degrees 19 minutes 40 seconds West, 160.00 feet to a point;

7) South 34 degrees 40 minutes 20 seconds West, 252.03 feet to a point;

8) North 56 degrees 56 minutes 18 seconds West, 640.82 feet to a point;

9) North 52 degrees 29 minutes 04 seconds West, 442.04 feet to a point;

10) South 15 degrees 06 minutes 16 seconds West, 252.19 feet to a point;

11) North 76 degrees 15 minutes 00 seconds West, 195.45 feet to a point and place of beginning; containing 18.00 acres of land, more or less.

ALSO RESERVING to the Grantor the right to occupy and use for camp purposes the premises hereby conveyed, in fee, for the term of 99 years from October 1, 1990. The conditions of such use and occupancy, which shall be for a ten-week period in each year during said terms and more fully set forth in an agreement of even date between the Grantor and the Grantee and intended to be recorded prior to or simultaneously with this deed.

It is intended by this deed to convey a parcel of land containing 56.785 acres more or less, in fee, subject to the above-described term estate reserved to the Grantor.

Bearings are referenced to the system as established by the United States Coast Guard and Geodetic Survey for the Borough of Richmond.

TOGETHER WITH all right, title, and interest of the Grantor in and to all ponds, streams, streets, roads, and highways lying within, traversing, and abutting the premises hereby conveyed.

Subject to the rights, if any, of the City of New York in and to that portion of the above-described premise lying within the beds of the following streets as the same are shown on Re-Subdivision of Map of Ocean Terrace filed in the Richmond County Clerk's office as Map #1438: Foster, Browning, Morse, Bogert, Millard & Pitt Avenues, Peru Street (formerly Gibson Avenue) and Hays Place (formerly Cromwell Avenue).

Also, Subject to the rights, if any, of the City of New York in and to that portion of the above-described premises lying within the beds of Siersema, Kesselman & Mayer Avenues as the same are shown on Map of Lakewood Manor dated August, 1925 and filed in the Richmond County Clerk's Office as Map #1581.

BEING the same premises, or portions thereof, conveyed to the Federation of Jewish Philanthropies of New York by the following deeds recorded in the Richmond County Clerk's Office:

1) Deed from The City of New York dated April 10, 1958, recorded April 10, 1958 in Liber 1422 Cp 450.

2) Deed from The City of New York dated May 7, 1958, recorded May 16, 1958 in Liber 1422 Cp 452.

3) Deed from The City of New York dated July 28, 1958, recorded August 13, 1958 in Liber 1431 Cp 99.

4) Deed from Aida I. Rapp dated January 19, 1960, recorded February 5, 1960 in Liber 1485 Cp 250.

5) Deed from The City of New York dated January 15, 1962, recorded June 5, 1962 in Liber 1571 Cp 158.

6) Deed from William Tutschek dated October 27, 1953, recorded November 10, 1953 in Liber 1260 Cp 342.

7) Deed from The City of New York dated July 28, 1958, recorded August 13, 1958 in Liber 1431 Cp 101.

8) Deed from William L. Hemsworth and Margaret Hemsworth dated December 6, 1960, recorded December 30, 1960 in Liber 1516 Cp. 470.

9) Deed from Frank Tutschek and Caroline Tutschek dated June 23, 1952, recorded July 8, 1952, in Liber 1201 Cp 223.

10) Deed from The City of New York dated February 9, 1962, recorded June 5, 1962 in Liber 1571 Cp 162.

11) Deed from The City of New York dated December 29, 1961, recorded January 25, 1962 in Liber 1557 Cp 454.

12) Deed from Aida Rapp dated January 2, 1962, recorded January 8, 1962 in Liber 1556 Cp 224.

13) Deed from Ellsworth B. Buck dated June 5, 1965, recorded June 17, 1965 in Liber 1695 Cp 144.

14) Deed from James A. Flood dated September 17, 1951, recorded October 26, 1951 in Liber 1175 Cp 495.

15) Deed from The City of New York dated March 11, 1957, recorded April 17, 1957 in Liber 1387 Cp 252.

16) Deed from Greater New York Councils, Boy Scouts of America, dated July 14, 1960, recorded August 1, 1960 in Liber 1501 Cp 205.

TOGETHER WITH the appurtenances and all the estate and rights of the Grantor in and to said premises.

§ 3. The commissioner shall agree to amend the deed by replacing the words "for the term of 99 years from October 1, 1990" appearing in the sentence beginning "ALSO RESERVING" with the words "for the term of years until September 30, 2122".

§ 4. The commissioner shall agree to amend the agreement as follows:

1. In the second WHEREAS clause of the agreement, replace the words "for a period of 99 years" with the words "until September 30, 2122".

2. In the first sentence of section one of the agreement, replace the words "for a period expiring 99 years from the first day of October first following the recording of the deed conveying the Property to The People of the State of New York," with the words "for a period expiring September 30, 2122,".

3. At the end of section seventeen of the agreement, add the words "The Commissioner shall have to power to waive in writing any limitation, restriction or requirement contained in this Agreement."

§ 5. This act shall take effect immediately; provided, however, that instruments amending the deed and the agreement as provided for in this act shall be prepared and executed by UJA and delivered to the commissioner within thirty days after this act takes effect and shall be executed by the commissioner and returned to UJA within thirty days thereafter, whereupon UJA shall cause such instruments to be recorded in the Richmond county clerk's office and shall deliver copies of the recorded instruments to the commissioner.