

STATE OF NEW YORK

9332

IN SENATE

May 13, 2024

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT in relation to authorizing the town of Oyster Bay to discontinue as parklands and convey such parkland to the department of environmental conservation

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 town of Oyster
2 Bay acting through its legislative body and upon such terms and condi-
3 tions agreed upon by the town of Oyster Bay and the department of envi-
4 ronmental conservation is hereby authorized to discontinue and convey
5 town parkland more particularly described in section three of this act
6 to the department of environmental conservation for the purposes of
7 providing public access to parkland.

8 § 2. The authorization provided in section one of this act shall be
9 effective only upon the condition that the department of environmental
10 conservation convey to the town of Oyster Bay, and the town of Oyster
11 Bay acquire and dedicate the lands described in section four of this act
12 as parklands, provided that the town of Oyster Bay has never used such
13 lands for public open space or park purposes.

14 § 3. The real property authorized to be conveyed by the town of Oyster
15 Bay pursuant to section one of this act is more particularly described
16 as follows:

17 PARCEL 1

18 COMMENCING at the intersection of the northerly side of Jericho Turn-
19 pike (NYS Route 25) with the southeasterly corner of the Map of Hamlet
20 East, filed in the Office of the Clerk of the County of Nassau on the
21 25th day of August 1987 as Map No. CAS-138, as amended by Map No.
22 CA-138A, filed in the Office of the Clerk of the County of Nassau on the
23 21st day of April, 1988 and running thence the following three (3)
24 courses:

25 North 25 degrees 26 minutes 00 seconds West, a distance of 852.68 feet
26 to a point, thence

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

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1 North 18 degrees 05 minutes 55 seconds West, a distance of 1,328.83 feet
2 to a point; thence
3 North 64 degrees 18 minutes 05 seconds East, a distance of 1045.00 feet
4 to the True Point or Place of Beginning and running thence the following
5 four (4) courses:
6 North 11 degrees 55 minutes 25 seconds East, a distance of 884.84 feet
7 to a point on the southerly side of Cedar Swamp Road (variable width),
8 thence
9 Continuing along said southerly side of Cedar Swamp Road, South 67
10 degrees 27 minutes 51 seconds East, a distance of 98.82 feet to a point,
11 thence
12 Continuing along the same, along the arc of a curve bearing to the
13 right, having a radius of 1,100.92 feet, an arc length of 738.84 feet,
14 an internal angle of 38 degrees 27 minutes 08 seconds, and having a
15 chord that bears South 48 degrees 14 minutes 18 seconds East, a distance
16 of 725.06 feet to a point, thence
17 Leaving said southerly side of Cedar Swamp Road, South 67 degrees 03
18 minutes 24 seconds West, a distance of 884.94 feet to the True Point or
19 Place of Beginning, containing 362,874 feet square feet (8.330 acres)
20 more or less.

21 PARCEL 2

22 All that certain plot, piece or parcel of land situate, lying and
23 being in the Town of Oyster Bay, County of Nassau and State of New York,
24 being part of Lot 4 in Block A of Section 27 of the Nassau County
25 Department of Assessment Land and Tax Map and being more particularly
26 described as follows:

27 Beginning at a point on the northerly side of West End Avenue (Shore
28 Avenue), said point being the southerly end of the division line between
29 lands now or formerly of The People of the State of New York, Department
30 of Environmental Conservation known as Section 27 Block A Lot 222 as
31 shown on the Nassau County Land and Tax Map on the west, and lands Now
32 or Formerly of the Town of Oyster Bay known as Section 27 Block A Lot 4
33 as shown on the Nassau County Land and Tax Map, formerly lands of Rial
34 Realty Corporation on the east and running thence:

35 North 4 degrees 41 minutes 40 seconds East, 301.67 feet to a point;
36 thence

37 North 61 degrees 53 minutes 40 seconds East, 17.85 feet to a point;
38 thence

39 South 4 degrees 41 minutes 40 seconds West, 311.12 feet to a point in
40 the northerly line of West End Avenue (Shore Avenue); thence

41 North 86 degrees 13 minutes 52 seconds West, 15.00 feet to the point or
42 place of Beginning.

43 Said above described parcel of land containing within said bounds 0.10
44 Acre, more or less.

45 § 4. The real property authorized to be conveyed by the department of
46 environmental conservation pursuant to section two of this act is more
47 particularly described as follows:

48 PARCEL 1

49 All that certain plot, piece or parcel of land situate, lying and
50 being in the Town of Oyster Bay, County of Nassau and State of New York,
51 being part of Lot 222 in Block A of Section 27 of the Nassau County
52 Department of Assessment Land and Tax Map and being more particularly
53 described as follows:

54 Beginning at a point on the northerly side of West End Avenue (Shore
55 Avenue), said point being North 86 degrees 13 minutes 52 seconds West,
56 173.93 feet from the southerly end of the division line between lands

1 now or formerly of The People of the State of New York, Department of
2 Environmental Conservation known as Section 27 Block A Lot 222 as shown
3 on the Nassau County Land and Tax Map on the west, and lands Now or
4 Formerly of the Town of Oyster Bay known as Section 27 Block A Lot 4 as
5 shown on the Nassau County Land and Tax Map, formerly lands of Rial
6 Realty Corporation on the east and running thence:
7 Along the northerly side of West End Avenue (Shore Avenue) North 86
8 degrees 13 minutes 52 seconds West, 230.41 feet to a point; thence
9 North 4 degrees 41 minutes 40 seconds East, 165.64 feet to a 5/8" capped
10 rebar; thence
11 South 86 degrees 50 minutes 44 seconds East, 59.57 feet to a 5/8" capped
12 rebar; thence
13 North 4 degrees 41 minutes 40 seconds East, 116.43 feet to a capped
14 rebar; thence
15 South 89 degrees 57 minutes 20 seconds East, 45.00 feet to a capped
16 rebar; thence
17 South 66 degrees 46 minutes 21 seconds East, 105.45 feet to a 5/8"
18 capped rebar; thence
19 North 77 degrees 40 minutes 56 seconds East, 51.60 feet to a point;
20 thence
21 South 4 degrees 28 minutes 47 seconds West, 38.52 feet to a point;
22 thence
23 North 86 degrees 33 minutes 43 seconds West, 5.65 feet to a point;
24 thence
25 South 42 degrees 24 minutes 56 seconds West, 44.16 feet to a point;
26 thence
27 Southwardly along the arc of a curve bearing to the left having a radius
28 of 15.67 feet, and a chord bearing South 22 degrees 56 minutes 02
29 seconds West with a chord length of 10.04 feet, an arc distance of 10.22
30 feet to a point; thence
31 South 4 degrees 15 minutes 21 seconds West, 129.80 feet to a point;
32 thence
33 South 6 degrees 09 minutes 25 seconds East, 34.45 feet to a point;
34 thence
35 South 25 degrees 57 minutes 11 seconds East, 12.98 feet to the point or
36 place of Beginning.
37 Said above described parcel of land containing within said bounds 1.25
38 Acres, more or less.
39 PARCEL 2
40 All that certain plot, piece or parcel of land situate, lying and being
41 in the Town of Oyster Bay, County of Nassau and State of New York, being
42 shown as Lots 5 and 33 in Block A of Section 27 of the Nassau County
43 Department of Assessment Land and Tax Map and being more particularly
44 described as follows:
45 Beginning at a 5/8" capped rebar on the westerly side of Bayside Avenue
46 (not open or improved, a paper street) at the division line between the
47 herein described parcel on the north and lands of the Long Island Rail-
48 road on the south, said point also being the southeasterly corner of
49 lands designated as Tax Map Section 27, Block A, Lot 33 and running
50 thence:
51 Along the northerly line of lands of the Long Island Railroad the
52 following three (3) courses:
53 1. North 88 degrees 35 minutes 24 seconds West, 99.09 feet to a 5/8"
54 capped rebar; thence
55 2. North 86 degrees 18 minutes 01 second West, 500.29 feet to a 5/8"
56 capped rebar; thence

1 3. North 88 degrees 35 minutes 26 seconds West, 126.82 feet to a point
2 in a stream; thence
3 North 1 degree 16 minutes 39 seconds East, 105.17 feet to a 5/8" capped
4 rebar in the southerly line of West End Avenue (Shore Avenue); thence
5 Along the southerly line of West End Avenue (Shore Avenue), South 86
6 degrees 07 minutes 31 seconds East, 596.39 feet to a point; thence
7 Still along the southerly line of West End Avenue (Shore Avenue), South
8 88 degrees 35 minutes 25 seconds East, 89.19 feet to a 5/8" capped
9 rebar, thence
10 South 59 degrees 33 minutes 25 seconds East, 86.39 feet to a 5/8" capped
11 rebar in the westerly line of Bayside Avenue (not open or improved, a
12 paper street); thence
13 South 32 degrees 16 minutes 34 seconds West, 67.09 feet to the point or
14 place of Beginning.
15 Said above described parcel of land containing within said bounds 1.68
16 Acres, more or less.
17 § 5. In the event that the town of Oyster Bay received any funding
18 support or assistance from the federal government for the purchase,
19 maintenance or improvement of the parklands set forth in section three
20 of this act, the discontinuance and alienation of such parkland author-
21 ized by the provisions of this act shall not occur until the town of
22 Oyster Bay has complied with any federal requirements pertaining to the
23 alienation or conversion of parklands, including satisfying the secre-
24 tary of the interior that the alienation or conversion complies with all
25 conditions which the secretary of the interior deems necessary to ensure
26 the substitution of other lands shall be equivalent in fair market value
27 and usefulness to the lands being alienated or converted.
28 § 6. This act shall take effect immediately.