STATE OF NEW YORK

9332--A

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

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:

Section 1. Subject to the provisions of this act, the town of Oyster Bay acting through its governing body and upon such terms and conditions agreed upon by the town of Oyster Bay and the department of environmental conservation is hereby authorized to discontinue and convey town parkland more particularly described in section three of this act to the department of environmental conservation for the purposes of providing public access to parkland.

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

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

PARCEL 1

All that certain plot, piece or parcel of land situate, lying and being in the Town of Oyster Bay, County of Nassau and State of New York, being all of Lot 55 in Block 11 of Section 17 of the Nassau County Department of Assessment Land and Tax Map and being more particularly described as follows:

COMMENCING at the intersection of the northerly side of Jericho Turnpike (NYS Route 25) with the southeasterly corner of the Map of Hamlet East, filed in the Office of the Clerk of the County of Nassau on the

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

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25th day of August 1987 as Map No. CAS-138, as amended by Map No. CA-138A, filed in the Office of the Clerk of the County of Nassau on the 21st day of April, 1988 and running thence the following three (3) courses:
North 25 degrees 26 minutes 00 seconds West, a distance of 852.68 feet to a point, thence
North 18 degrees 05 minutes 55 seconds West, a distance of 1,328.83 feet to a point; thence
North 64 degrees 18 minutes 05 seconds East, a distance of 1045.00 feet to the True Point or Place of Beginning and running thence the following four (4) courses:
North 11 degrees 55 minutes 25 seconds East, a distance of 884.84 feet to a point on the southerly side of Cedar Swamp Road (variable width), thence
Continuing along said southerly side of Cedar Swamp Road, South 67 degrees 27 minutes 51 seconds East, a distance of 98.82 feet to a point, thence
Continuing along the same, along the arc of a curve bearing to the right, having a radius of 1,100.92 feet, an arc length of 738.84 feet, an internal angle of 38 degrees 27 minutes 08 seconds, and having a chord that bears South 48 degrees 14 minutes 18 seconds East, a distance of 725.06 feet to a point, thence
Leaving said southerly side of Cedar Swamp Road, South 67 degrees 03 minutes 24 seconds West, a distance of 884.94 feet to the True Point or Place of Beginning, containing 362,874 feet square feet (8.330 acres) more or less.
PARCEL 2
All that certain plot, piece or parcel of land situate, lying and being in the Town of Oyster Bay, County of Nassau and State of New York, being part of Lot 4 in Block A of Section 27 of the Nassau County Department of Assessment Land and Tax Map and being more particularly described as follows:
Beginning at a point on the northerly side of West End Avenue (Shore Avenue), said point being the southerly end of the division line between lands now or formerly of The People of the State of New York, Department of Environmental Conservation known as Section 27 Block A Lot 222 as shown on the Nassau County Land and Tax Map on the west, and lands Now or Formerly of the Town of Oyster Bay known as Section 27 Block A Lot 4 as shown on the Nassau County Land and Tax Map, formerly lands of Rial Realty Corporation on the east and running thence:
North 4 degrees 41 minutes 40 seconds East, 301.67 feet to a point; thence
North 61 degrees 53 minutes 40 seconds East, 17.85 feet to a point; thence
South 4 degrees 41 minutes 40 seconds West, 311.12 feet to a point in the northerly line of West End Avenue (Shore Avenue); thence
North 86 degrees 13 minutes 52 seconds West, 15.00 feet to the point or place of Beginning.
Said above described parcel of land containing within said bounds 0.10 Acre, more or less.
§ 4. Prior to the discontinuance and alienation of the parklands described in section three of this act, the department of environmental conservation shall convey to the town of Oyster Bay and the town of Oyster Bay shall acquire and dedicate as parklands such land described as follows:
PARCEL 1

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

Beginning at a point on the northerly side of West End Avenue (Shore Avenue), said point being North 86 degrees 13 minutes 52 seconds West, 173.93 feet from the southerly end of the division line between lands now or formerly of The People of the State of New York, Department of Environmental Conservation known as Section 27 Block A Lot 222 as shown on the Nassau County Land and Tax Map on the west, and lands Now or Formerly of the Town of Oyster Bay known as Section 27 Block A Lot 4 as shown on the Nassau County Land and Tax Map, formerly lands of Rial Realty Corporation on the east and running thence:

Along the northerly side of West End Avenue (Shore Avenue) North 86 degrees 13 minutes 52 seconds West, 230.41 feet to a point; thence

North 4 degrees 41 minutes 40 seconds East, 165.64 feet to a 5/8" capped rebar; thence

South 86 degrees 50 minutes 44 seconds East, 59.57 feet to a 5/8" capped rebar: thence

North 4 degrees 41 minutes 40 seconds East, 116.43 feet to a capped rebar; thence

South 89 degrees 57 minutes 20 seconds East, 45.00 feet to a capped rebar; thence

South 66 degrees 46 minutes 21 seconds East, 105.45 feet to a 5/8" capped rebar; thence

North 77 degrees 40 minutes 56 seconds East, 51.60 feet to a point; thence

South 4 degrees 28 minutes 47 seconds West, 38.52 feet to a point; thence

North 86 degrees 33 minutes 43 seconds West, 5.65 feet to a point; thence

South 42 degrees 24 minutes 56 seconds West, 44.16 feet to a point; thence

Southwardly along the arc of a curve bearing to the left having a radius of 15.67 feet, and a chord bearing South 22 degrees 56 minutes 02 seconds West with a chord length of 10.04 feet, an arc distance of 10.22 feet to a point; thence

South 4 degrees 15 minutes 21 seconds West, 129.80 feet to a point; thence

South 6 degrees 09 minutes 25 seconds East, 34.45 feet to a point; thence

South 25 degrees 57 minutes 11 seconds East, 12.98 feet to the point or place of Beginning.

Said above described parcel of land containing within said bounds 1.25 Acres, more or less.

PARCEL 2

All that certain plot, piece or parcel of land situate, lying and being in the Town of Oyster Bay, County of Nassau and State of New York, being shown as Lots 5 and 33 in Block A of Section 27 of the Nassau County Department of Assessment Land and Tax Map and being more particularly described as follows:

Beginning at a 5/8" capped rebar on the westerly side of Bayside Avenue (not open or improved, a paper street) at the division line between the herein described parcel on the north and lands of the Long Island Railroad on the south, said point also being the southeasterly corner of

lands designated as Tax Map Section 27, Block A, Lot 33 and running thence:
Along the northerly line of lands of the Long Island Railroad the following three (3) courses:
1. North 88 degrees 35 minutes 24 seconds West, 99.09 feet to a 5/8" capped rebar; thence
2. North 86 degrees 18 minutes 01 second West, 500.29 feet to a 5/8" capped rebar; thence
3. North 88 degrees 35 minutes 26 seconds West, 126.82 feet to a point in a stream; thence
North 1 degree 16 minutes 39 seconds East, 105.17 feet to a 5/8" capped rebar in the southerly line of West End Avenue (Shore Avenue); thence
Along the southerly line of West End Avenue (Shore Avenue), South 86 degrees 07 minutes 31 seconds East, 596.39 feet to a point; thence
Still along the southerly line of West End Avenue (Shore Avenue), South 88 degrees 35 minutes 25 seconds East, 89.19 feet to a 5/8" capped rebar, thence
South 59 degrees 33 minutes 25 seconds East, 86.39 feet to a 5/8" capped rebar in the westerly line of Bayside Avenue (not open or improved, a paper street); thence
South 32 degrees 16 minutes 34 seconds West, 67.09 feet to the point or place of Beginning.
Said above described parcel of land containing within said bounds 1.68 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 by the town of Oyster Bay 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 town of Oyster Bay 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 town of Oyster Bay 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 the town of Oyster Bay 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 ensure 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.