STATE OF NEW YORK

9741--A

IN SENATE

May 24, 2024

Introduced by Sen. PALUMBO -- 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 authorizing the town of East Hampton to alienate and convey certain parcels of land used as parkland for the purpose of a Suffolk County roadway improvement project

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 East Hampton, acting by and through its governing body, and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parkland and to alienate the lands described in section three of this act, and to convey such parklands to the county of Suffolk for the purposes of a roadway improvement project along Three Mile Harbor Road.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the town of East Hampton acquire and dedicate the lands described in section four of this act as parklands, provided that the town of East Hampton 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 more particularly described as follows:

All that certain tract of land, situate, lying and being in the Town of East Hampton, County of Suffolk and State of New York, more precisely described as follows:

Northerly 500 feet more or less by lands of Cecelia Bennett and lands now or formerly of Peter Fedi;

Southeasterly 1,000 feet more or less by the Springs-Fireplace Highway; and,

Westerly 1,000 feet more or less by the Three Mile Harbor Highway, said premises being a triangular parcel of land located at the intersection of said Three Mile Harbor Highway and Springs-Fireplace Highway.

Containing 2.0 acres more or less.

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

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§ 4. Prior to the discontinuance and alienation of the parklands described in section three of this act, the town of East Hampton 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 East Hampton, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Northwesterly side of Swamp Road with the Northeasterly side of East Hampton-Sag Harbor Turnpike (Route 114);

RUNNING THENCE along the Northeasterly side of East Hampton-Sag Harbor Turnpike, the following two (2) courses and distances:

1. North 49 degrees 35 minutes 21 seconds West, 91.96 feet - actual (91.76 feet - deed);

2. North 31 degrees 41 minutes 41 seconds West, 68.87 feet - actual (North 30 degrees 50 minutes 11seconds West, 69.28 feet - deed) to a pin;

THENCE North 47 degrees 28 minutes 47 seconds East, 300.00 feet - actual (298.88 feet - deed) to a monument;

THENCE North 31 degrees 41 minutes 41 seconds West, 263.84 feet to a monument;

THENCE North 54 degrees 44 minutes 10 seconds East, 249.99 feet - actual (250.00 feet - deed) to a set pin and land now or formerly of Town of East Hampton;

THENCE along said land, South 28 degrees 43 minutes 37 seconds East, 507.62 feet to the Northwesterly side of Swamp Road;

THENCE along the Northwesterly side of Swamp Road, the following three (3) courses and distances:

1. South 59 degrees 20 minutes 07 seconds West, 7.42 feet to a pin;

2. South 79 degrees 59 minutes 59 seconds West, 195.63 feet to a monument;

3. South 47 degrees 26 minutes 39 seconds West, 305.92 feet to the corner first above-mentioned, the point or place of BEGINNING

Containing 3.56 acres of land.

§ 5. In the event that the fair market value of the lands described in section four of this act to be dedicated as parklands by the town of East Hampton 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 East Hampton 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 East Hampton 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 East Hampton 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.