

# STATE OF NEW YORK

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5851--B

2025-2026 Regular Sessions

## IN ASSEMBLY

February 24, 2025

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Introduced by M. of A. BEEPHAN -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the town of Union Vale, county of Dutchess, to alienate and discontinue the use of certain parklands

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

1 Section 1. (a) Subject to the provisions of this act, the town of  
2 Union Vale, in the county of Dutchess, acting by and through its govern-  
3 ing body, and upon such terms and conditions as determined by such body,  
4 is hereby authorized to discontinue as parklands and to lease at fair  
5 market value to Homeland Towers, LLC for a term not to exceed thirty  
6 years the lands more particularly described in section two of this act  
7 for the placement and operation of a wireless communication tower. In  
8 addition, the town of Union Vale, in the county of Dutchess, acting by  
9 and through its town board is hereby authorized to convey an easement to  
10 Homeland Towers, LLC over certain municipally owned parklands described  
11 in section three of this act, to install and maintain an access road for  
12 the purposes described in section three of this act, provided that the  
13 thoroughfare shall be publicly accessible and able to be used for park  
14 purposes.

15 (b) All proceeds from such lease shall be used for capital improve-  
16 ments to existing park and recreation facilities and/or for the acquisi-  
17 tion of additional park and recreational facilities, and the town of  
18 Union Vale shall dedicate an amount equal to or greater than the fair  
19 market value of the easement interests being conveyed by section one of  
20 this act for capital improvements to existing park and recreational  
21 facilities and/or for the acquisition of additional park and recreation-  
22 al facilities.

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

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1 § 2. The parklands authorized by section one of this act to be leased  
2 are more particularly described as follows:

3 LEASE AREA A -

4 Said Lease Area A located East of Deforest Lane in the Town of Beek-  
5 man, County of Dutchess, New York, located within the land conveyed by  
6 Jean McKinney Connor by deed and recorded in the Dutchess County Clerk's  
7 Office on February 4, 1974 in book 1377 of deeds at page 66 and are more  
8 particularly described as follows:

9 Beginning at the Northwesterly Corner of Lease Area A herein  
10 described; said point being S. 46° 54' 51" E, 395.94 feet from a north-  
11 west corner of the parent parcel to the place and point of beginning;

12 Thence S 80° 09' 23" W for 75 feet to a point; Thence S 09° 05' 97" E  
13 for 70 feet to a point; Thence N 80° 09' 23" E for 75 feet to a point;  
14 Thence N 09° 05' 97" W for 70 feet to the point of beginning.

15 Parcel Contains: 5,250.00 square feet (0.120 acre) more or less of  
16 land

17 § 3. The easement to be conveyed by section one of this act is more  
18 particularly described as follows:

19 EASEMENT AREA A -

20 BEEKMAN II 43 DEFOREST LANE, BEEKMAN, NY

21 A 12-foot-wide by 470-foot easement for vehicular and pedestrian  
22 access to Lease Area A and for utilities to service the structures in  
23 Lease Area A along the existing roadway which runs from Deforest Lane to  
24 the Lease Area A located within the land conveyed by Jean McKinney  
25 Connor by deed and recorded in the Dutchess County Clerk's Office on  
26 February 4, 1974 in book 1377 of Deeds at page 66, said easement area  
27 being described as follows:

28 Beginning at a point on the west bounds of Lease Area A, said point  
29 being N 09°50'37" E a distance of 26.86 feet from the southwest corner  
30 of said Lease Area; running thence westerly along the southerly bounds  
31 of said Access Drive the following nine courses and distances:

32 1) on a curve to the left, with a radius of 10.00 feet, an arc length  
33 of 15.71 feet and a Delta angle of 89°59'46";

34 2) N 80°09'23" W 11.41 feet to a point, thence;

35 3) on a curve to the left, with a radius of 94.00 feet, an arc length  
36 of 9.52 feet and a Delta angle of 05°48'13";

37 4) N 85°57'35" W 101.13 feet to a point, thence;

38 5) on a curve to the left, with a radius of 150.00 feet, an arc length  
39 of 49.82 feet and a Delta angle of 19°01'44";

40 6) S 75°00'40" W 165.12 feet to a point, thence;

41 7) on a curve to the left, with a radius of 33.08 feet, an arc length  
42 of 25.82 feet and a Delta angle of 44°43'07";

43 8) S 30°17'21" W 39.62 feet to a point, thence;

44 9) on a curve to the right, with a radius of 77.45 feet, an arc length  
45 of 49.96 feet and a Delta angle of 36°57'24";

46 To a point on the easterly edge of Deforest Lane; running thence N  
47 14°04'26" W along the easterly edge of DeForest Lane a distance of 12.09  
48 feet to a point; continuing thence easterly along the northerly bounds  
49 of said Access Drive the following nine courses and distances:

50 1) on a curve to the left, with a radius of 65.45 feet, an arc length  
51 of 40.85 feet and a Delta angle of 35°45'39";

52 2) N 30°17'21" E 39.16 feet to a point, thence;

53 3) on a curve to the right, with a radius of 45.08 feet, an arc length  
54 of 35.18 feet and a Delta angle of 44°43'13";

55 4) N 75°00'38" E 165.12 feet to a point, thence;

1 5) on a curve to the right, with a radius of 162.00 feet, an arc  
2 length of 53.80 feet and a Delta angle of 19°01'44";  
3 6) S 85°57'35" E 101.13 feet to a point, thence;  
4 7) on a curve to the right, with a radius of 106.00 feet, an arc  
5 length of 10.74 feet and a Delta angle of 05°48'13";  
6 8) S 80°09'23" E 11.41 feet to a point, thence;  
7 9) on a curve to the left, with a radius of 10.00 feet, an arc length  
8 of 15.71 feet and a Delta angle of 90°00'00";  
9 To a point on the west bounds of said Lease Area; running thence South  
10 09°50'37" West along the west bounds of said Lease Area a distance of  
11 32.00 feet to the point of beginning;  
12 Parcel Contains: 5,621.637 square feet (0.129 acre) more or less of  
13 land  
14 § 4. Should the leased lands described in section two of this act  
15 cease to be used for the purposes described in section one of this act,  
16 the lease shall terminate and those lands shall revert to the town of  
17 Union Vale for public park and recreational purposes, and the easement  
18 described in section three of this act for access shall also revert and  
19 be extinguished. At the time of such reversion, the removal of such  
20 wireless communication tower and the access road shall take place and  
21 the property shall be returned to its previous state, consistent with  
22 park and recreational purposes.  
23 § 5. In the event that the town of Union Vale received any funding  
24 support or assistance from the federal government for the purchase,  
25 maintenance or improvement of the parklands set forth in sections two  
26 and three of this act, the discontinuance and alienation of such park-  
27 land authorized by the provisions of this act shall not occur until the  
28 town of Union Vale has complied with any federal requirements pertaining  
29 to the alienation or conversion of parkland, including satisfying the  
30 secretary of the interior that the alienation or conversion complies  
31 with all conditions which the secretary of the interior deems necessary  
32 to assure the substitution of other lands shall be equivalent in fair  
33 market value and usefulness to the lands being alienated or converted.  
34 § 6. This act shall take effect immediately.