

PROPOSED ORDINANCE NO. 56 - 2013

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO ACCEPT, ON BEHALF OF THE COUNTY OF NASSAU, AN OFFER OF PURCHASE FROM DAVID A. PARSONS OF A CERTAIN PORTION OF THE RIGHT-OF-WAY KNOWN AS BAYVILLE ROAD LOCATED IN LOCUST VALLEY, TOWN OF OYSTER BAY, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 29, BLOCK M-1, PART OF RIGHT-OF-WAY KNOWN AS BAYVILLE ROAD ADJACENT TO LOT 61 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED, CONTRACT OF SALE AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMATE THE SALE.

WHEREAS, the County of Nassau did heretofore acquire title to the right-of-way known as Bayville Road;

WHEREAS, the Nassau County Legislature has been advised that a portion of the aforementioned right-of-way is no longer required by the County of Nassau for public purposes;

WHEREAS, David A. Parsons, an adjacent property owner, has requested that the County of Nassau convey to him the aforesaid portion of the right-of-way and has made an offer to purchase same in the amount of One Thousand Three Hundred Twenty-Five and 00/100 Dollars (\$1,325.00), all pursuant to and more particularly described in that certain Contract of Sale (the "Contract") by and between the County of Nassau and David A. Parsons, a copy of which is on file in the office of the Clerk of the Nassau County Legislature;

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the disposition of the subject portion of the right-of-way, and determined that it is an "Unlisted Action" pursuant to the New York State Environmental Quality Review Act ("SEQRA"), and has further reviewed the Environmental Assessment Form ("EAF") for the proposed action and recommends that the Legislature upon its review of the ("EAF") and any supporting documentation, if any, determine that the evidence before it indicates that the proposed action will have no significant environmental impact and does not require further environmental review; and

WHEREAS, the Nassau County Planning Commission, acting in an advisory capacity to the Nassau County Legislature, passed a resolution regarding the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action.

BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive is hereby authorized to accept the offer of purchase of David A. Parsons in the sum of One Thousand Three Hundred Twenty-Five and 00/100 Dollars (\$1,325.00), for said premises being more particularly described as follows:

ALL that plot, piece and parcel of land situate, lying and being in the unincorporated area known as Locust Valley, Town of Oyster Bay, County of Nassau, State of New York designated as Section 29, Block M01, Part of the Right of Way of Bayville Road Adjacent to Lot 61 on the Land and Tax Map of Nassau County being more accurately bounded and described as follows:

BEGINNING at a point the following two (2) courses and distances from the point formed by the intersection of the southerly side of Valley Road and the easterly side of Bayville Road:

1. South 12 degrees 11 minutes 47 seconds East a distance of 77.36 feet

2. South 9 degrees 43 minutes 10 seconds East a distance of 44.90 feet to the point or place of BEGINNING

RUNNING THENCE North 85 degrees 46 minutes 20 seconds East a distance of 18.00 feet

RUNNING THENCE South 13 degrees 30 minutes 00 Seconds East a distance of 45.30 feet

RUNNING THENCE South 85 degrees 46 minutes 20 seconds West a distance of 21.52 feet

RUNNING THENCE North 11 degrees 51 minutes 21 seconds West a distance of 20.14 feet

RUNNING THENCE North 6 degrees 47 minutes 12 seconds West a distance of 24.76 feet to the point or place of BEGINNING.

subject to all of the terms and conditions as outlined in the Contract.

2. That the County Executive be and he hereby is authorized to execute for, and on behalf of the County of Nassau, the deed from the County of Nassau, as Grantor, to David A. Parsons, as Grantee, upon compliance with the terms and conditions of this sale, and to execute any and all other instruments, including the Contract, and to take such other action as is necessary, to effectuate the terms of such offer and carry out the purposes of the Contract.

3. That it is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed sale of the subject portion of the right of way has been determined not to have a significant effect on the environment and

no further review is required for the reasons set forth in the attached Determination of Non-Significance.

4. This ordinance shall take effect immediately.