

ACT NO. - 2025

AN ACT authorizing the conveyance of approximately 1.859 acres of County property in the Town of Mount Pleasant, New York to the Town of Mount Pleasant in exchange for Ten (\$10.00) Dollars subject to the Town using the property for public commuter parking purposes and other public parking purposes or floodplain restoration and subject to the Town conveying to the County a sewer easement and access easement.

BE IT ENACTED by the County Board of the County of Westchester as follows:

Section 1. The County of Westchester (the "County") is hereby authorized to convey approximately 1.859 acres of real property located on Saw Mill River Road, in the Town of Mount Pleasant, New York (the "Town"), designated as a portion of Section 106.18, Block 1 and Lot 2 on the Official Tax Maps for the Town, to the Town, as described in Schedule "A" attached hereto (the "Property") by Bargain and Sale Deed without Covenant against Grantor's Acts in consideration of Ten (\$10.00) Dollar subject to the Town using the Property for public commuter parking purposes and other public parking purposes or floodplain restoration, and subject to the Town conveying a sewer easement to the County through the Property and an access easement through an adjacent parcel owned by the Town.

§2. The County's conveyance to the Town will be subject to the following reverter clause:

That the part of the second part [Town] shall use the said premises solely and exclusively for public commuter parking purposes and other public parking purposes or to introduce vegetation and other natural features that may alter or remove the existing parking lot as part of any action to contribute to floodplain restoration, and same shall not be conveyed, transferred, or assigned by the party of the second part without the consent of the party of the first part. In the event that the premises so conveyed are put to another use than herein mentioned or conveyed, transferred, or assigned by the party of the second part without the consent of the party of the first part, then the land hereby conveyed and any and all improvements thereon or thereto shall revert to the party of the first part herein or its successors, and all right, title and interest of the party of the second part shall be forfeited and the title to said premises shall revert to the party of the first part or its successors without the necessity of re-entry by the party of the first part, hereby creating as to said premises a determinable fee, to be terminated upon breach of the conditions herein set forth.

§3. The County is hereby authorized to accept a free, permanent and perpetual fifteen (15) foot wide sewer easement as described in Schedule "B" attached hereto on, over, in and through the Property.

§4. The County is hereby authorized to accept a free, permanent and perpetual access easement over the parcel known as Residual Parcel C in the Indenture, dated April 11, 1967, recorded in the office of the Westchester County Clerk at Liber 6740, page 464, and described in Schedule "C" attached hereto.

§5. The above easements shall extend to the County's officers, elected officials, employees, agents, contractors, subcontractors, invitees, successors and assigns.

§6. The County Executive, or his duly authorized, designee, is hereby authorized and empowered to take all actions and to execute and deliver such documents as may be necessary and appropriate to accomplish the purposes hereof.

§7. This Act shall take effect immediately.

Schedule "A"

DESCRIPTION OF PROPERTY TO BE CONVEYED BY THE COUNTY
TO THE TOWN OF MOUNT PLEASANT

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND lying and being in the Town of Mount Pleasant, County of Westchester and State of New York, more particularly described as:

Beginning at a point on the Southeasterly boundary of the existing Saw Mill River Parkway, being a portion of Lot 1 on Sheet No. 27 as shown on a certain map entitled "Map Showing Lands To Be Acquired by the Westchester County Park Commission for the Saw Mill River Parkway", dated May, 1925 and filed in the Westchester County Clerk's Office, on November 5, 1932 as filed map No. 3919; said point being located South 50°-01'-35" West, 459.51 feet from the former location of Monument Number "6" as shown on said filed map No. 3919; thence through the property of the People of The State of New York, Currently Under the Jurisdiction of the New York State Department of Transportation the following courses and distances; North 45°-31'-12" West 24.49 feet; South 46°-40'-12" West 16.11 feet; North 42°-23'-23" West 16.68 feet; North 45°-24'-29" East 17.73 feet; North 46°-41'-57" West 16.63 feet; North 42°-57'-02" East 173.43 feet; North 54°-37'-19" East 22.10 feet; North 41°-09'-40" East 148.70 feet; North 40°-03'-31" East 329.55 feet; North 50°-39'-42" East 42.29 feet; North 40°-26'-46" East 66.55 feet; South 49°-40'-57" East 61.40 feet; South 39°-56'-22" West 96.59 feet; and South 48°-00'-57" East 89.42 feet to the Southeasterly side of aforesaid Saw Mill River Parkway, thence along said Saw Mill River Parkway South 17°-31'-37" West 41.10 feet; South 55°-35'-34" West 204.70 feet and South 50°-01'-35" West 459.51 feet to the point of beginning; being 80,965 square feet or 1.859 Acres more or less (the "Premises").

Schedule "B"

DESCRIPTION 15 FOOT WIDE SEWER EASEMENT LOCATED IN THE TOWN OF MOUNT PLEASANT, COUNTY OF WESTCHESTER, STATE OF NEW YORK.

ALL that certain plot, piece or parcel of land, situate, lying and located in the Town of Mount Pleasant, County of Westchester, State of New York designated as a Portion of a 15 foot wide Sewer Easement bounded and described as follows:

Commencing at the southeasterly boundary of the existing Saw Mill River Parkway, said point being located South 50°01'35" West, 459.51 feet from the former location of Monument No. "6" as shown on Filed Map No. 3919;

thence through the property of the People of the State of New York, currently under the jurisdiction of the New York State Department of Transportation the following courses and distances:

North 45°31'12" West, a distance of 24.49 feet;

South 46°40'12" West, a distance of 16.11 feet;

North 42°23'23" West, a distance of 16.68 feet;

North 45°24'29" West, a distance of 17.73 feet;

North 46°41'57" West, a distance of 6.79 feet to POINT OF BEGINNING;

thence from said point of beginning, North 46°41'57" West, a distance of 9.84 feet;

thence North.42°57'02" East, a distance of 160.57 feet to a point;

thence along the southeasterly side of 15 foot wide Sewer Easement, South 40°07'57" West, a distance of 100.48 feet;

thence S.38°18'09"W., a distance of 60.47 feet to the point and place of BEGINNING.

Containing 693 square feet or 0.0159 acres, more or less.

SCHEDULE "C"

DESCRIPTION OF TOWN OF MOUNT PLEASANT PROPERTY THROUGH WHICH THE COUNTY HAS AN ACCESS EASEMENT

RESIDUAL PARCEL C

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Mount Pleasant, County of Westchester and State of New York, known and distinguished as being a portion of Parcel No. 1, Sheet No. 27 of a certain map entitled "Map showing lands to be acquired by the Westchester County Park Commission for the Saw Mill River Parkway, North of Briarcliff Road and Westerly of the Harlem Division of the New York Central and Hudson River Railroad in the Town of Mount Pleasant, Westchester County, New York." Said map prepared by Walter H. Miles, Surveyor, dated May 1925 and filed in the Office of the Clerk of the County of Westchester (Division of Land Records) on November 5, 1932 as Map No. 3919, and which said premises are more particularly bounded and described as follows:

BEGINNING at a point in the Westerly right-of-way line of the New York Central and Hudson River Railroad (Harlem Division) where said right-of-way line is intersected by the division line between aforementioned Parcel No. 1 and lands now or formerly of one Dassler.

Thence from said point of beginning and following said railroad right of way line the following courses and distances: on a curve to the left with a radius of 2409.04 feet, tangent to the following course and running in a Southwesterly direction a distance of 308.44 feet; S.18°25'47"W. 34.40 feet; on a curve to the left with a radius of 5020.33 feet, tangent to the preceding course and running in a Southwesterly direction a distance of 152.70 feet to the Northwesterly line of Broadway thence following said Northwesterly line of Broadway S.46°40'W. 111.62 feet to lands of an unknown owner; thence along the division line between said lands of unknown owner on the left and aforesaid Parcel No. 1 on the right, N.37°49'40" W. 205.67 feet to an angle point in said division line: thence through aforesaid Parcel No. 1, N.17°30'52" E. 498.79 feet to lands now or formerly of the-Graham Syndicate: thence partly along lands now or formerly of the Graham Syndicate and partly along lands now or formerly of the aforementioned Dassler, S.66°59'30"E. 250.00 feet to the aforementioned Westerly right-of-way line of the New York Central and Hudson River Railroad (Harlem Division) at the point or place of beginning. Containing all an area of 2.885 acres more or less.