

**HOME RULE REQUEST RESOLUTION NO. \_\_\_ - 2021**

RESOLVED, that the Westchester County Board of Legislators approves the making of a Home Rule Request in the following format:

*To the Legislature:*

Pursuant to Article IX of the Constitution, the County of Westchester requests the enactment of Senate Bill No. S01138 and Assembly Bill No. A04017 entitled "AN ACT authorizing the commissioner of general services to convey real property in Westchester County to the County of Westchester"

A necessity exists for the enactment of this legislation because the local government does not have the power to enact such legislation by local law.

Dated: 2021  
White Plains, New York

COMMITTEE ON

# STATE OF NEW YORK

---

1138

2021-2022 Regular Sessions

## IN SENATE

January 7, 2021

---

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT authorizing the commissioner of general services to convey real property in Westchester county to the county of Westchester

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

1 Section 1. The commissioner of the office of  
general services is  
2 authorized and empowered to transfer and convey certain  
state property,  
3 as further described in section two of this act, to the  
county of West-  
4 chester for one dollar, upon such terms and conditions  
as such commis-  
5 sioner may fix and determine.

6 § 2. The land authorized by this act to be conveyed  
consists of the  
7 North County Trailway, and is generally described as  
follows:

8 A parcel of land located in the Towns of Mount  
Pleasant, New Castle,  
9 Yorktown and Somers in Westchester consisting of  
approximately 20.8

10 miles with varying width, as described in the lease agreement dated  
11 December 3, 2018 between the commissioner of transportation for the  
12 people of the state of New York and the county of Westchester, as  
13 described and on Exhibit A - Depiction of Proposed Lease Area delineated  
14 on Sheet Nos. 1-40 of Map 1, Parcels 1-39 subject to any and all ease-  
15 ments and conveyances granted by the state by and through the commis-  
16 sioner; Exhibit B - Map of the existing North County Trailway; and  
17 further described as:  
18 From 110 feet south of old saw mill river road in eastview, north to  
19 3,000 feet south of route 1117, a total distance of approximately 15,000  
20 linear feet.  
21 From route 117 to 350 feet south of route 9A for a total distance of  
22 approximately 8,800± linear feet.  
23 From a point 2,000± feet north of route 9A/100 intersection to camp-  
24 fire road, approximately 4,000 linear feet.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets

[-] is old law to be omitted.

LBD01695-01-1

S. 1138

2

1 From a point 2,000± feet south of route 133 in miliwood, north to the  
2 south side of underhill avenue located in the hamlet of Yorktown  
3 Heights, town of Yorktown, a distance of 52,400 linear feet.  
4 From the north side of underhill avenue to the south side of hanover  
5 street for a distance of 1,250± linear feet.  
6 From hanover street, located in Yorktown Heights, north to the Putnam  
7 county boundary, a total distance of approximately 28,000± linear feet.

8 The entire linear distance of the parcel of land is  
approximately 20.8

9 miles (109,530± linear feet).

10 § 3. The commissioner of the office of general  
services shall not

11 transfer or convey the aforesaid land unless  
application in a form

12 acceptable to the office of general services is made  
to the office of

13 general services by the county of Westchester which  
application must be

14 made within one year after the effective date of this  
act.

15 § 4. Any land transferred pursuant to this act shall  
be used and main-

16 tained by the county of Westchester for the purpose of  
a pedestrian and

17 non-motorized bicycle trailway, and upon termination of  
such use, title

18 to the land so transferred shall revert to the state of  
New York.

19 § 5. This act shall take effect immediately.

**A04017 Text:**

**STATE OF NEW YORK**

---

4017

2021-2022 Regular Sessions

**IN ASSEMBLY**

February 1, 2021

---

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Governmental Operations

AN ACT authorizing the commissioner of general services to convey real property in Westchester county to the county of Westchester

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

1 Section 1. The commissioner of the office of  
general services is  
2 authorized and empowered to transfer and convey certain  
state property,  
3 as further described in section two of this act, to the  
county of West-  
4 chester for one dollar, upon such terms and conditions  
as such commis-  
5 sioner may fix and determine.  
6 § 2. The land authorized by this act to be conveyed  
consists of the  
7 North County Trailway, and is generally described as  
follows:

8 A parcel of land located in the Towns of Mount  
Pleasant, New Castle,  
9 Yorktown and Somers in Westchester consisting of  
approximately 20.8  
10 miles with varying width, as described in the lease  
agreement dated  
11 December 3, 2018 between the commissioner of  
transportation for the  
12 people of the state of New York and the county of  
Westchester, as  
13 described and on Exhibit A - Depiction of Proposed Lease  
Area delineated  
14 on Sheet Nos. 1-40 of Map 1, Parcels 1-39 subject to  
any and all ease-  
15 ments and conveyances granted by the state by and  
through the commis-  
16 sioner; Exhibit B - Map of the existing North  
County Trailway; and  
17 further described as:  
18 From 110 feet south of old saw mill river road in  
eastview, north to  
19 3,000 feet south of route 1117, a total distance of  
approximately 15,000  
20 linear feet.  
21 From route 117 to 350 feet south of route 9A for a  
total distance of  
22 approximately 8,800± linear feet.  
23 From a point 2,000± feet north of route 9A/100  
intersection to camp-  
24 fire road, approximately 4,000 linear feet.

EXPLANATION--Matter in italics (underscored) is new;  
matter in brackets

[-] is old law to be omitted.

LBD01695-01-1

A. 4017

2

1 From a point 2,000± feet south of route 133 in  
miliwood, north to the  
2 south side of underhill avenue located in the  
hamlet of Yorktown  
3 Heights, town of Yorktown, a distance of 52,400 linear  
feet.  
4 From the north side of underhill avenue to the south  
side of hanover  
5 street for a distance of 1,250± linear feet.

6 From hanover street, located in Yorktown Heights,  
north to the Putnam

7 county boundary, a total distance of approximately  
28,000± linear feet.

8 The entire linear distance of the parcel of land is  
approximately 20.8

9 miles (109,530± linear feet).

10 § 3. The commissioner of the office of general  
services shall not

11 transfer or convey the aforesaid land unless  
application in a form

12 acceptable to the office of general services is made  
to the office of

13 general services by the county of Westchester which  
application must be

14 made within one year after the effective date of this  
act.

15 § 4. Any land transferred pursuant to this act shall  
be used and main-

16 tained by the county of Westchester for the purpose of  
a pedestrian and

17 non-motorized bicycle trailway, and upon termination of  
such use, title

18 to the land so transferred shall revert to the state of  
New York.

19 § 5. This act shall take effect immediately.