

3992

2011-2012 Regular Sessions

I N   S E N A T E

March 11, 2011

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Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to authorize the city of New York to lease certain parkland in the borough of the Bronx to the New York Botanical Garden for a term of 99 years

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The city of New York, acting by and through the commission-  
2     er of parks and recreation of such city, is hereby authorized to lease  
3     the parkland, inclusive of any rights-of-way, described in section four  
4     of this act to the New York Botanical Garden for a term of ninety-nine  
5     years in exchange for an annual payment of one dollar per year and other  
6     valuable consideration and upon such other terms and conditions as may  
7     be agreed upon between the parties. The term of such lease shall  
8     commence within 3 years of the effective date of this act.  
9     S 2. Notwithstanding any other provision of law, general, special or  
10    local, the lease of the parkland, inclusive of any rights-of-way,  
11    described in section four of this act to the New York Botanical Garden  
12    shall not be subject to review and approval pursuant to sections 197-c  
13    and 197-d of the New York city charter.  
14    S 3. The parkland described in section four of this act on the effec-  
15    tive date of this act shall remain parkland during the term of such  
16    lease.  
17    S 4. The parkland, inclusive of any rights-of-way, authorized to be  
18    leased to the New York Botanical Garden is described as follows:  
19    ALL THAT CERTAIN TRACT, Parcel, or Piece of Land situate, lying and  
20    being in the Borough of Bronx, County of Bronx, City and State of New  
21    York and being more particularly described as follows:  
22    BEGINNING at the corner formed by the intersection of the northerly  
23    side of Bedford Park Boulevard (irregular width) with the easterly side  
24    of Webster Avenue (100' wide); distant S31°50'15"E 261.32' to a point of

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

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1 curvature. Continuing along a curve to the left with a chord bearing of  
2 S35°46'22"E, a chord length of 18.47 feet, a radius of 98.00 feet, a  
3 distance of 18.50 feet to the point or place of beginning.  
4 THENCE S54°25'04"W, a distance of 4.88 feet to a point, thence along a  
5 curve to the left with a chord bearing of S61°16'32"E, a chord length of  
6 96.61 feet, a radius of 84.96 feet, a distance of 102.76 feet to a  
7 point,  
8 THENCE along a curve to the left with a chord bearing of N70°26'46"E,  
9 a chord length of 30.62 feet, a radius of 78.64 feet, a distance of  
10 30.81 feet to a point,  
11 THENCE S55°57'26"E, a distance of 10.83 feet to a point,  
12 THENCE S14°16'27"W, a distance of 6.00 feet to a point,  
13 THENCE N88°47'07"E, a distance of 13.91 feet to a point,  
14 THENCE along a curve to the left with a chord bearing of N84°09'09"E,  
15 a chord length of 23.52 feet, a radius of 93.94 feet, a distance of  
16 23.58 feet to a point,  
17 THENCE N72°22'46"E, a distance of 41.11 feet to a point,  
18 THENCE along a curve to the right with a chord bearing of N81°45'20"E,  
19 a chord length of 81.53 feet, a radius of 333.88 feet, a distance of  
20 81.73 feet to a point,  
21 THENCE N89°03'09"E, a distance of 19.73 feet to a point,  
22 THENCE N78°56'06"E, a distance of 13.85 feet to a point,  
23 THENCE N75°30'35"E, a distance of 65.05 feet to a point,  
24 THENCE N66°44'41"E, a distance of 8.58 feet to a point,  
25 THENCE N60°51'40"E, a distance of 79.24 feet to a point,  
26 THENCE N37°56'25"E, a distance of 4.42 feet to a point,  
27 THENCE N25°05'46"E, a distance of 19.56 feet to a point,  
28 THENCE N23°48'48"E, a distance of 34.49 feet to a point,  
29 THENCE N51°32'33"E, a distance of 71.57 feet to a point,  
30 THENCE N45°51'39"E, a distance of 23.99 feet to a point,  
31 THENCE N00°04'41"W, a distance of 29.41 feet to a point,  
32 THENCE along a curve to the left with a chord bearing of N70°39'33"E,  
33 a chord length of 21.73 feet, a radius of 50.25 feet, a distance of  
34 21.90 feet to a point,  
35 THENCE N49°34'15"E, a distance of 46.20 feet to a point,  
36 THENCE N45°33'29"E, a distance of 26.36 feet to a point,  
37 THENCE along a curve to the right with a chord bearing of N49°42'07"E,  
38 a chord length of 100.38 feet, a radius of 1189.80 feet, a distance of  
39 100.41 feet to a point,  
40 THENCE along a curve to the right with a chord bearing of N53°10'31"E,  
41 a chord length of 97.57 feet, a radius of 3993.59 feet, a distance of  
42 97.57 feet to a point,  
43 THENCE N55°02'24"E, a distance of 46.14 feet to a point,  
44 THENCE along a curve to the right with a chord bearing of N28°19'45"E,  
45 a chord length of 30.22 feet, a radius of 41.30 feet, a distance of  
46 30.94 feet to a point,  
47 THENCE N09°40'43"E, a distance of 34.34 feet to a point,  
48 THENCE N80°19'17"W, a distance of 6.45 feet to a point,  
49 THENCE along a curve to the left with a chord bearing of N12°37'29"W,  
50 a chord length of 136.77 feet, a radius of 234.86 feet, a distance of  
51 138.78 feet to a point,  
52 THENCE S54°25'04"W, a distance of 432.47 feet to a point,  
53 THENCE S35°34'56"E, a distance of 10.88 feet to a point,  
54 THENCE S54°25'04"W, a distance of 108.41 feet to a point,

1       THENCE along a curve to the right with a chord bearing of S12°34'03"W,  
2 a chord length 13.34 feet, a radius of 10.00 feet, a distance of 14.61  
3 feet to a point,  
4       THENCE S54°25'04"W, a distance of 72.54 feet to a point,  
5       THENCE along a curve to the right with a chord bearing of N88°41'20"W,  
6 a chord length of 12.01 feet, a radius of 10.00 feet, a distance of  
7 12.88 feet to a point,  
8       THENCE S54°25'04"W, a distance of 129.81 feet to a point,  
9       THENCE N35°34'56"W, a distance of 13.03 feet to a point,  
10       THENCE S54°25'04"W, a distance of 199.74 feet to a point,  
11       THENCE S35°34'56"E, a distance of 9.43 feet to a point,  
12       THENCE S54°25'04"W, a distance of 23.46 feet to the POINT OR PLACE OF  
13 BEGINNING.  
14       S 5. This act shall take effect immediately.