

STATE OF NEW YORK

6229--A

2021-2022 Regular Sessions

IN SENATE

April 16, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to alienate and discontinue the use of certain portions of parkland

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

1 Section 1. Subject to the provisions of this act, but notwithstanding
2 any provision of law to the contrary, the city of New York, acting by
3 and through the commissioner of parks and recreation of such city, is
4 hereby authorized to: (a) discontinue permanently the use as parkland
5 certain subsurface portions of the lands described in section four of
6 this act and to transfer such lands to the department of environmental
7 protection for use in connection with a storm sewer; and (b) temporarily
8 discontinue the use of certain portions as parkland, the lands described
9 in section three of this act, to enable the department of environmental
10 protection to use such lands for the construction of a storm sewer.

11 § 2. The authorizations provided in section one of this act shall be
12 effective only upon the condition that the city of New York dedicate an
13 amount equal to or greater than the fair market value of the parklands
14 being discontinued towards the acquisition of new parkland and/or for
15 capital improvements to existing park and recreational facilities within
16 community board thirteen in the borough of Queens.

17 § 3. The land authorized by section one of this act to be temporarily
18 discontinued as parkland is described as follows:

19 Parcel 1 on tax lot 2 in block 13791, Borough of Queens

20 All that certain plot, piece or parcel of land, situate, lying and
21 being in the Borough of Queens, Queens County, City and State of New
22 York, and bounded and described by the following;

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

LBD10841-03-1

BEGINNING at a point on the northerly line of Rockaway Boulevard (117' wide), said point being located a distance of 36.15 feet easterly from the point formed by the intersection of the said northerly line of Rockaway Boulevard and the easterly line of Nassau Expressway. Said point also having coordinates North 177,704.63 and East 1,049,906.18 as referenced to the New York State Plane Coordinate System, Long Island Zone, NAD 83 and running thence the following courses;

1. THENCE North 66° 01' 36" East a distance 247.76 feet to a point;
2. THENCE South 89° 49' 02" East a distance 327.47 feet to a point;
3. THENCE South 89° 17' 30" East a distance 243.33 feet to a point;
4. THENCE South 13° 53' 38" East a distance 195.96 feet to a point;
5. THENCE South 27° 06' 01" West a distance 433.46 feet to a point on the said northerly line of Rockaway Boulevard;
6. THENCE along the said northerly line of Rockaway Boulevard North 53° 26' 52" West a distance 805.11 feet to a point which is the point or place of BEGINNING.

The above described parcel contains an area of 279,772 square feet or 6.42 acres.

Parcel 2 on tax lot 2 in block 13791, Borough of Queens

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Queens, Queens County, City and State of New York, and bounded and described by the following;

BEGINNING at a point on the southerly line of 149th Avenue (80' wide) a distance of 167.27 feet westerly of the prolongation of the westerly line of 225th Street as it intersects the said southerly line of 149th Avenue. Said point of BEGINNING having coordinates North 178,906.14 and East 1,051,297.15 as referenced to the New York State Plane Coordinate System, Long Island Zone, NAD 83 and running thence the following courses;

1. South 25° 55' 43" West a distance 130.97 feet to a point;
2. THENCE South 58° 40' 00" West a distance 370.49 feet to a point;
3. THENCE South 21° 23' 36" West a distance 554.65 feet to a point;
4. THENCE South 13° 53' 38" East a distance 492.98 feet to a point;
5. THENCE South 27° 06' 01" West a distance 478.85 feet to a point a point on the northerly line of Rockaway Boulevard (117' Wide);
6. THENCE along the said northerly line of Rockaway Boulevard (117' Wide) North 53° 26' 52" West a distance 85.16 feet to a point;
7. THENCE North 27° 06' 01" East a distance 433.46 feet to a point;
8. THENCE North 13° 53' 38" West a distance 488.29 feet to a point;
9. THENCE North 21° 23' 36" East a distance 609.70 feet to a point;
10. THENCE North 58° 40' 00" East a distance 374.15 feet to a point;
11. THENCE North 25° 55' 43" East a distance 106.37 feet to a point on the said southerly line of 149th Avenue;
12. THENCE along the said southerly line of 149th Avenue on a curve bearing to the right, having a radius of 1,004.95 feet, a central angle of 0° 38' 32" for an arc length of 11.26 feet with a chord South 64° 17' 48" East a distance 11.26 to a point of tangency;
13. THENCE still along the said southerly line of 149th Avenue South 63° 58' 33" East a distance 72.74 feet to the point or place of BEGINNING.

The above described 84' Wide Storm Sewer Corridor parcel contains an area of 169,679 square feet or 3.90 acres.

§ 4. The subsurface portion of land authorized by section one of this act to be permanently discontinued as parkland is described as follows:

The subsurface volume under Idlewild Park described below has a uniform height of 10.50 feet and width of 44.50 feet and begins at the

1 southerly line of 149th Street at an elevation of -3.40 feet and runs to
2 an elevation of -4.27 feet at the northerly line of Rockaway Boulevard
3 as referenced to the North American Vertical Datum of 1988 (NAVD88).

4 BEGINNING at a point on the southerly line of 149th Avenue (80' wide)
5 a distance of 187.02 feet westerly of the prolongation of the westerly
6 line of 225th Street as it intersects the said southerly line of 149th
7 Avenue. Said point of BEGINNING having coordinates North 178,914.80 and
8 East 1,051,279.40 as referenced to the New York State Plane Coordinate
9 System, Long Island Zone, NAD 83, with said point of BEGINNING having an
10 elevation of -3.40 feet and running thence the following courses;

- 11 1. South 25° 55' 43" West a distance 125.20 feet to a point;
- 12 2. THENCE South 58° 40' 00" West a distance 371.35 feet to a point
13 having an elevation of -3.56 feet;
- 14 3. THENCE South 21° 23' 36" West a distance 567.60 feet to a point
15 having an elevation of -3.78 feet;
- 16 4. THENCE South 13° 53' 38" East a distance 491.84 feet to a point;
- 17 5. THENCE South 26° 56' 39" West a distance 468.41 feet to a point on
18 the northerly line of Rockaway Boulevard (117' Wide) having an elevation
19 of -4.11 feet;
- 20 6. THENCE along the said northerly line of Rockaway Boulevard North
21 53° 26' 52" West a distance 45.13 feet to a point;
- 22 7. THENCE North 26° 56' 39" East a distance 444.31 feet to a point;
- 23 8. THENCE North 13° 53' 38" West a distance 489.43 feet to a point
24 having an elevation of -3.78 feet;
- 25 9. THENCE North 21° 23' 36" East a distance 596.76 feet to a point
26 having an elevation of -3.56 feet;
- 27 10. THENCE North 58° 40' 00" East a distance 373.29 feet to a point;
- 28 11. THENCE North 25° 55' 43" East a distance 112.20 feet to a point on
29 the southerly line of 149th Avenue (80' wide);
- 30 12. THENCE along the said southerly line of 149th Avenue South 63° 58'
31 33" East a distance 44.50 feet to the point or place of BEGINNING.

32 The above parcel also contains a volume of 943,940 cubic feet based on
33 the uniform height of 10.50 feet and width of 44.50 feet.

34 The volume under the Park permanently alienated for the storm sewer
35 has a footprint with an area of 89,899 square feet or 2.06 acres.

36 § 5. In the event that the city of New York received any funding,
37 support or assistance from the federal government for the purchase,
38 maintenance or improvement of the parklands set forth in sections three
39 and four of this act, the discontinuance and alienation of such parkland
40 authorized by the provisions of this act shall not occur until the city
41 of New York has complied with the federal requirements pertaining to the
42 conversion of parklands, including satisfying the secretary of the inte-
43 rior that the discontinuance will include all conditions which the
44 secretary of the interior deems necessary to assure the substitution of
45 other lands shall be equivalent in fair market value and recreational
46 usefulness to the lands being discontinued.

47 § 6. Upon completion of construction, pursuant to the terms thereof,
48 the department of environmental protection shall, in agreement with the
49 city of New York and in consultation with the local community board,
50 restore the surface of the land such that the land shall continue to be
51 used for park purposes.

52 § 7. This act shall take effect immediately.