S T A T E O F N E W Y O R K

2768--B

2009-2010 Regular Sessions

I N S E N A T E

March 2, 2009

Introduced by Sen. ONORATO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged and said bill committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the city of New York to discontinue use of and convey certain park land

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

Section 1. Subject to the provisions of this act, the city of New York is authorized to discontinue use as park land and to convey, in fee simple, the land described in section three of this act. Such land is authorized to be conveyed to the Saint Michael's Cemetery upon such terms and conditions as the city council of the city of New York shall determine to be fair and reasonable.

S 2. The authorization provided in section one of this act shall be subject to the requirement that the city of New York shall use any proceeds and/or land received in exchange for the conveyance authorized by this act to acquire land, to be dedicated for park purposes, in an amount equal to or greater than the fair market value of the land being conveyed pursuant to this act and/or used for capital improvements to existing park and recreational facilities.

S 3. The land authorized to be discontinued as park land and conveyed is as follows:

ALL that certain plot, piece or parcel of land, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:

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

LBD07529-05-0

BEGINNING at the corner formed by the intersection of the westerly side of Brooklyn-Queens Expressway East (Service Road), also known as Boody Street, with the northerly side of 30th Avenue, formerly known as Grand Avenue (80 feet wide);

RUNNING THENCE along the northerly side of 30th Avenue, South 53 degrees 05 minutes 15 seconds West, 57.40 feet;

THENCE North 1 degree 15 minutes 59.9 seconds West, 1635.52 feet;

THENCE South 88 degrees 20 minutes 01.5 second East, 142.31 feet;

THENCE North 19 degrees 17 minutes 37 seconds East, 31.30 feet;

THENCE North 4 degrees 20 minutes 15 seconds West, 206.73 feet;

THENCE North 8 degrees 45 minutes 15 seconds West, 25.00 feet;

THENCE North 11 degrees 45 minutes 55 seconds West, 363.31 feet;

THENCE North 11 degrees 05 minutes 28.4 seconds West, 301.87 feet to the southerly side of Grand Central Parkway (Service Road), also known as Astoria Boulevard;

THENCE along the southerly side of Grand Central Parkway (Service Road), also known as Astoria Boulevard, North 73 degrees 53 minutes 24.9 seconds East, 15.99 feet to the extreme northwesterly end of the arc of a curve which connects the southerly side of Grand Central Parkway (Service Road), also known as Astoria Boulevard with the westerly side of Brooklyn-Queens Expressway East (Service Road), also known as Boody Street;

THENCE southeasterly along the westerly side of Brooklyn-Queens Expressway East (Service Road), also known as Boody Street and along the last mentioned arc of a curve, bearing to the right having a radius of 30.00 feet, a distance of 22.63 feet;

THENCE continuing along the westerly side of Brooklyn-Queens Expressway East (Service Road), also known as Boody Street, the following eight (8) courses and distances:

1) South 14 degrees 41 minutes 57.9 seconds East, 556.50 feet;

2) southerly along the arc of a curve bearing to the right having a radius of 569.64 feet, a distance of 337.96 feet;

3) South 19 degrees 17 minutes 37 seconds West, 93.40 feet;

4) southerly along the arc of a curve bearing to the left having a radius of 816.10 feet, a distance of 275.78 feet;

5) South 0 degrees 04 minutes 05.3 seconds East, 335.50 feet;

6) southerly along the arc of a curve bearing to the right having a radius of 630.99 feet, a distance of 105.76 feet;

7) southerly along the arc of a curve bearing to the left having a radius of 500.00 feet, a distance of 94.51 feet;

8) South 1 degree 17 minutes 43.9 seconds East, 730.91 feet to the northerly side of 30th Avenue, at the point or place of BEGINNING.

Consisting of 3.77 acres ±.

S 4. If the parkland that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland authorized by the provisions of this act shall not occur until the municipality has complied with the federal requirements pertaining to the conversion of parklands, including satisfying the secretary of the interior that the discontinuance will include all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and recreational usefulness to the lands being discontinued.

S 5. This act shall take effect immediately.