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

5501

2011-2012 Regular Sessions

I N S E N A T E

May 26, 2011

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to authorize the city of New York to transfer ownership of certain parklands to Alexander's of Rego Park III, Inc.

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, acting by and through the commissioner of parks and recreation of such city, is authorized to discontinue the use as parkland the land described in section three of this act and to transfer such land to Alexander's of Rego Park III, Inc. in exchange for certain parcels of land, described in section four of this act, that are contiguous to Lost Battalion Hill park in the borough of Queens. Such exchange shall be made upon such terms and conditions as shall be agreed upon between the parties.

S 2. The authorization provided in section one of this act shall be conditioned on the city of New York dedicating as parkland the parcels of land, described in section four of this act, acquired from Alexander's of Rego Park III, Inc. In the event that the fair market value of the land acquired from Alexander's of Rego Park III, Inc. and dedicated as parkland is not equal to or greater than the fair market value of the discontinued parkland, the city of New York shall dedicate the difference between the fair market value of the discontinued parkland and the fair market value of the dedicated parkland for the acquisition of additional parkland and/or for capital improvements to existing park and recreational facilities within the borough of Queens.

S 3. The land to be discontinued as parkland and transferred to Alexander's of Rego Park III, Inc. is a part of Block 2077 Lot 50 & Bed of former 62nd Avenue in the borough of Queens more particularly described as follows:

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

LBD11729-01-1

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

BEGINNING at a point the following two courses and distances from the corner formed by the intersection of the northeasterly side of 93rd Street (50 feet wide) with the southerly side of Horace Harding Expressway (Irregular width);

1. THENCE southeasterly, along the northeasterly side of 93rd Street, 282.12 feet to a point;

2. THENCE easterly, along a line forming an angle of 59 degrees 20 minutes 47 seconds on the southeast with the northeasterly side of 93rd street, 102.20 feet to the centerline of former 62nd Avenue, the point or place of BEGINNING.

RUNNING THENCE northeasterly, along the centerline of former 62nd Avenue and along a line forming an angle of 146 degrees 17 minutes 17 seconds on the northwest with the last mentioned course, 168.58 feet to a point;

RUNNING THENCE southeasterly, along a line forming an angle of 118 degrees 08 minutes 39 seconds on the southeast with the last mentioned course, 28.35 feet to a point;

RUNNING THENCE northeasterly, along a line forming an angle of 241 degrees 51 minutes 21 seconds on the southeast with the last mentioned course, 112.86 feet to a point;

RUNNING THENCE southerly, along a line forming an angle of 53 degrees 29 minutes 07 seconds on the southwest with the last mentioned course, 71.46 feet to a point;

RUNNING THENCE southerly, along a line forming an angle of 191 degrees 15 minutes 11 seconds on the southwest with the last mentioned course, 29.32 feet to a point;

RUNNING THENCE southerly, along a line forming an angle of 174 degrees 05 minutes 52 seconds on the southwest with the last mentioned course, 34.19 feet to a point;

RUNNING THENCE southwesterly, along a line forming an angle of 132 degrees 21 minutes 38 seconds on the southwest with the last mentioned course, 11.76 feet to a point;

RUNNING THENCE westerly, along a line forming an angle of 135 degrees 05 minutes 29 seconds on the northwest with the last mentioned course, 253.12 feet to the point or place of BEGINNING.

Said parcel containing approximately .438 acre more or less.

S 4. The land to be acquired by the city of New York from Alexander's of Rego Park III, Inc. and dedicated as parkland is two parcels of land in the borough of Queens as follows:

Parcel 1

A part of Block 2076 Lot 50 & Bed of former 62nd Avenue, more particularly described as follows:

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

BEGINNING at a point on the northeasterly side of 93rd Street (50 feet wide) distant 282.12 feet southeasterly from the corner formed by the intersection of the northeasterly side of 93rd Street with the southerly side of Horace Harding Expressway (Irregular width);

RUNNING THENCE easterly, along a line forming an angle of 59 degrees 20 minutes 47 seconds on the southeast with the northeasterly side of 93rd Street, 102.20 feet to the centerline of former 62nd Avenue;

RUNNING THENCE southwesterly, along the centerline of former 62nd Avenue and along a line forming an angle of 33 degrees 42 minutes 43 seconds on the southwest with the last mentioned course, 88.04 feet to the northeasterly side of 93rd Street;

RUNNING THENCE northwesterly, along the northeasterly side of 93rd Street, 56.80 feet to the point or place of BEGINNING.

Said parcel containing approximately .057 acre more or less.

Parcel 2

A part of Block 2077 Lot 98, more particularly described as follows:

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

Beginning at a point on the westerly side of Junction Boulevard (80 feet wide) distant 277.74 feet southerly from the corner formed by the intersection of the westerly side of Junction Boulevard with the southerly side of Horace Harding Expressway (Irregular width);

RUNNING THENCE westerly, at right angles to the westerly side of Junction Boulevard, 112.11 feet to a point;

RUNNING THENCE southwesterly, along a line forming an angle of 135 degrees 05 minutes 29 seconds on the southeast with the last mentioned course, 173.33 feet to a point;

RUNNING THENCE northeasterly, along a line forming an angle of 09 degrees 40 minutes 26 seconds on the northeast with the last mentioned course, 36.52 feet to a point;

RUNNING THENCE easterly, at right angles to the westerly side of Junction Boulevard, 205.04 feet to the westerly side of Junction Boulevard;

RUNNING THENCE northerly, along the westerly side of Junction Boulevard, 101.30 feet to the point or place of BEGINNING.

Said parcel containing approximately .381 acre more or less.

S 5. 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 city of New York 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 6. This act shall take effect immediately.