

S T A T E   O F   N E W   Y O R K

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10078--A

I N   A S S E M B L Y

June 11, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pretlow) --  
read once and referred to the Committee on Cities -- committee  
discharged, bill amended, ordered reprinted as amended and recommitted  
to said committee

AN ACT in relation to the substitution of certain parkland in the city  
of Yonkers, county of Westchester

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

1     Section 1. The city of Yonkers, county of Westchester, is hereby  
2 authorized to discontinue as parkland the land described in section  
3 three of this act.  
4     S 2. The authorization contained in section one of this act shall only  
5 be effective on the condition that the city of Yonkers use the lands  
6 described in section three of this act in part for school purposes and  
7 after the city of Yonkers council holds a public hearing with notice.  
8     S 3. The land to be discontinued as parkland is described as follows:  
9 Beginning at a point at the northwesterly terminus of Bartholdi Place  
10 (paper street) and runs thence from said point of beginning along said  
11 westerly street boundary South 08 deg. 50 min. 39 sec. West a distance  
12 of 75.00 feet to its intersection with the boundary line between lands  
13 now or formerly of City of Yonkers as described in Liber 10271 of deeds  
14 at page 197 on the South and Irving Park on the North; thence along said  
15 boundary line North 81 deg. 09 min. 21 sec. West a distance of 113.19  
16 feet to its intersection with the boundary line between lands now or  
17 formerly of New York Central Railroad Company on the West and Irving  
18 Park on the East; thence along said boundary line along a curve to the  
19 right having a radius of 4,003.00 feet, an arc distance of 228.81 feet,  
20 (the chord for the above last described course being North 02 deg. 23  
21 min. 02 sec. East a distance of 228.78 feet) to its intersection with  
22 the boundary line between lands now or formerly of One Point Street,  
23 Inc. as described in Liber 46261 of deeds at page 403 on the North and  
24 Irving Park on the South; thence along said lands of One Point Street,  
25 Inc., in part, and along the southerly terminus of Glenwood Terrace, in  
26 part, and a second parcel owned by One Point Street, Inc. as described

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

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1 in Liber 50148 of deeds at page 3185, South 72 deg. 43 min. 13 sec. East  
2 a distance of 191.00 feet to its intersection with the boundary line  
3 between lands now or formerly of Starke as described in Liber 6963 of  
4 deeds at page 259 on the East and Irving Park on the West; thence along  
5 the common boundary line between lands now or formerly of Starke, City  
6 of Yonkers, Cardy, and Singh, South 08 deg. 50 min. 39 sec. West a  
7 distance of 124.31 feet to its intersection with the boundary line  
8 between lands now or formerly of 801B, LLC. as described in Liber 41079  
9 of deeds at page 529 on the South and Irving Park on the North; thence  
10 along said boundary line, in part, and along the northerly terminus of  
11 Bartholdi Place, in part, North 81 deg. 09 min. 21 sec. West a distance  
12 of 50.00 feet to the point or place of beginning and containing 0.778±  
13 acres of land.

14 S 4. The replacement land to be dedicated by the City of Yonkers,  
15 County of Westchester, to use as parkland for public purposes is  
16 described as follows: Parcel 1: Beginning at a point on the easterly  
17 boundary of Ravine Avenue at its intersection with the boundary line  
18 between Lot 59 on the north and Lot 58 on the south, said point lying  
19 100.00 feet Northerly, along the easterly boundary of Ravine Avenue,  
20 from the northerly boundary of Gold Street; and runs thence from said  
21 point of beginning Northerly a distance of 75.00 feet to its inter-  
22 section with the boundary line between Lot 62 on the north and Lot 61 on  
23 the south; thence Easterly perpendicular to Ravine Avenue, and parallel  
24 with Gold Street, a distance of 100.00 feet to its intersection with the  
25 common boundary line between Lots 48, 49, and 50 on the east, and lands  
26 herein described on the west thence Southerly along said boundary line,  
27 and parallel with Ravine Avenue, a distance of 75.00 feet to its inter-  
28 section with the above first mentioned boundary line; thence Westerly  
29 along said boundary line, and parallel with Gold Street a distance of  
30 100.00 feet to the point or place of beginning and containing 7.500± sq.  
31 ft. of land. Parcel 2: Beginning at a point on the easterly boundary of  
32 Ravine Avenue and its intersection with the boundary line between Lot 64  
33 on the north and Lot 63 on the south, said points lying 225.00 feet  
34 Northerly, along the easterly boundary of Ravine Avenue, from the north-  
35 erly boundary of Gold Street; and runs thence from said point of begin-  
36 ning Northerly a distance of 100.00 feet to its intersection with the  
37 boundary line between Lot 68 on the north and Lot 67 on the south;  
38 thence Easterly perpendicular to Ravine Avenue, and parallel with Gold  
39 Street, a distance of 100.00 feet to its intersection with the common  
40 boundary line between Lots 42, 43, 44 and 45 on the east, and lands  
41 herein described on the west; thence Southerly along said boundary line,  
42 and parallel with Ravine Avenue, a distance of 100.00 feet to its inter-  
43 section with the above first mentioned boundary line; thence Westerly  
44 along said boundary, and parallel with Gold Street a distance of 100.00  
45 feet to the point or place of beginning and containing 10,000± sq. ft.  
46 of land. Parcel 3: Beginning at a point on the easterly boundary of  
47 Ravine Avenue at its intersection line between land now or formerly of  
48 the City of Yonkers on the north and land now or formerly of Mukherjee  
49 on the south, said point lying 376.00 feet Northerly, along the easterly  
50 boundary of Ravine Avenue, from the northerly boundary of Gold Street;  
51 and runs thence from said point of beginning Northerly a distance of  
52 49.00 feet to its intersection with the boundary line between Lot 72 on  
53 the north and Lot 71 on the south; then Easterly perpendicular to  
54 Ravine, and parallel with Gold Street, a distance of 100.00 feet to its  
55 intersection with the common boundary line between Lots 38 and 39 on the  
56 east, and lands herein described on the west; thence Southerly along

1 said boundary line, and parallel with Ravine Avenue, a distance of 49.00  
2 feet to its intersection with the above first mentioned boundary line;  
3 thence Westerly along said boundary line, and parallel with Gold Street  
4 distance of 100.00 feet to the point or place of beginning and contain-  
5 ing 4,900± sq. ft. of land.

6 S 5. In the event that the lands to be acquired, as described in  
7 section four of this act, are not equal or greater in fair market value  
8 that the lands being alienated, as described in section three of this  
9 act, the city of Yonkers shall dedicate the difference in the fair  
10 market value for the acquisition of additional parklands and/or for  
11 capital improvements to existing park and recreational facilities.

12 S 6. If the land that is the subject of this act has received funding  
13 pursuant to the federal land and water conservation fund, the discontin-  
14 uance of parklands authorized by the provisions of this act shall not  
15 occur until the municipality has complied with the federal requirements  
16 pertaining to the conversion of parklands, including satisfying the  
17 secretary of the interior that the discontinuance will include all  
18 conditions which the secretary of the interior deems necessary to assure  
19 the substitution of other lands shall be equivalent in fair market value  
20 and recreational usefulness to the lands being discontinued.

21 S 7. This act shall take effect immediately.