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

7842

I N S E N A T E

June 13, 2014

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The city of Yonkers, county of Westchester, is hereby authorized to discontinue as parkland the land described in section three of this act.

S 2. The authorization contained in section one of this act shall only be effective on the condition that the city of Yonkers use the lands described in section three of this act in part for school purposes and after the city of Yonkers council holds a public hearing with notice.

S 3. The land to be discontinued as parkland is described as follows: Beginning at a point at the northwesterly terminus of Bartholdi Place (paper street) and runs thence from said point of beginning along said westerly street boundary South 08 deg. 50 min. 39 sec. West a distance of 75.00 feet to its intersection with the boundary line between lands now or formerly of City of Yonkers as described in Liber 10271 of deeds at page 197 on the South and Irving Park on the North; thence along said boundary line North 81 deg. 09 min. 21 sec. West a distance of 113.19 feet to its intersection with the boundary line between lands now or formerly of New York Central Railroad Company on the West and Irving Park on the East; thence along said boundary line along a curve to the right having a radius of 4,003.00 feet, an arc distance of 228.81 feet, (the chord for the above last described course being North 02 deg. 23 min. 02 sec. East a distance of 228.78 feet) to its intersection with the boundary line between lands now or formerly of One Point Street, Inc. as described in Liber 46261 of deeds at page 403 on the North and Irving Park on the South; thence along said lands of One Point Street, Inc., in part, and along the southerly terminus of Glenwood Terrace, in part, and a second parcel owned by One Point Street, Inc. as described in Liber 50148 of deeds at page 3185, South 72 deg. 43 min. 13 sec. East

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

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

S 4. The replacement land to be dedicated by the City of Yonkers, County of Westchester, to use as parkland for public purposes is described as follows: Parcel 1: Beginning at a point on the easterly boundary of Ravine Avenue at its intersection with the boundary line between Lot 59 on the north and Lot 58 on the south, said point lying 100.00 feet Northerly, along the easterly boundary of Ravine Avenue, from the northerly boundary of Gold Street; and runs thence from said point of beginning Northerly a distance of 75.00 feet to its intersection with the boundary line between Lot 62 on the north and Lot 61 on the south; thence Easterly perpendicular to Ravine Avenue, and parallel with Gold Street, a distance of 100.00 feet to its intersection with the common boundary line between Lots 48, 49, and 50 on the east, and lands herein described on the west thence Southerly along said boundary line, and parallel with Ravine Avenue, a distance of 75.00 feet to its intersection with the above first mentioned boundary line; thence Westerly along said boundary line, and parallel with Gold Street a distance of 100.00 feet to the point or place of beginning and containing 7.500± sq. ft. of land. Parcel 2: Beginning at a point on the easterly boundary of Ravine Avenue and its intersection with the boundary line between Lot 64 on the north and Lot 63 on the south, said points lying 225.00 feet Northerly, along the easterly boundary of Ravine Avenue, from the northerly boundary of Gold Street; and runs thence from said point of beginning Northerly a distance of 100.00 feet to its intersection with the boundary line between Lot 68 on the north and Lot 67 on the south; thence Easterly perpendicular to Ravine Avenue, and parallel with Gold Street, a distance of 100.00 feet to its intersection with the common boundary line between Lots 42, 43, 44 and 45 on the east, and lands herein described on the west; thence Southerly along said boundary line, and parallel with Ravine Avenue, a distance of 100.00 feet to its intersection with the above first mentioned boundary line; thence Westerly along said boundary, and parallel with Gold Street a distance of 100.00 feet to the point or place of beginning and containing 10,000± sq. ft. of land. Parcel 3: Beginning at a point on the easterly boundary of Ravine Avenue at its intersection line between land now or formerly of the City of Yonkers on the north and land now or formerly of Mukherjee on the south, said point lying 376.00 feet Northerly, along the easterly boundary of Ravine Avenue, from the northerly boundary f Gold Street; and runs thence from said point of beginning Northerly a distance of 49.00 feet to its intersection with the boundary line between Lot 72 on the north and Lot 71 on the south; then Easterly perpendicular to Ravine, and parallel with Gold Street, a distance of 100.00 feet to its intersection with the common boundary line between Lots 38 and 39 on the east, and lands herein described on the west; thence Southerly along said boundary line, and parallel with Ravine Avenue, a distance of 49.00

feet to its intersection with the above first mentioned boundary line; thence Westerly along said boundary line, and parallel with Gold Street distance of 100.00 feet to the point or place of beginning and containing 4,900± sq. ft. of land.

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

S 6. If the land that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parklands 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 7. This act shall take effect immediately.