

4650

2015-2016 Regular Sessions

I N S E N A T E

April 1, 2015

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

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:

1 Section 1. Subject to the provisions of this act, the city of New
2 York, acting by and through the commissioner of parks and recreation of
3 such city, is authorized to transfer the light and air easement volume
4 described in section three of this act to Alexander's of Rego Park III,
5 Inc. in exchange for a certain light and air easement volume, described
6 in section four of this act, that is contiguous to Lost Battalion Hall
7 park in the borough of Queens. Such exchange shall be made upon such
8 terms and conditions as shall be agreed upon between the parties.
9 S 2. In the event that the fair market value of the easement volume
10 acquired from Alexander's of Rego Park III, Inc. is not equal to or
11 greater than the fair market value of the easement value transferred to
12 Alexander's of Rego Park III, Inc., the city of New York shall dedicate
13 the difference between the fair market value of the easement volume
14 transferred to Alexander's of Rego Park III, Inc., and the fair market
15 value of the easement volume acquired from Alexander's of Rego Park III,
16 Inc., for the acquisition of additional parkland and/or for capital
17 improvements to existing park and recreational facilities within the
18 borough of Queens.
19 S 3. The easement volume to be transferred to Alexander's of Rego Park
20 III, Inc. is a part of block 2076 lot 50, block 2077 lots 50, 98 and
21 8901 and bed of former 62nd Avenue in the borough of Queens, more
22 particularly described as follows:

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

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1 ALL that certain plot, piece or parcel of land situate, lying and
2 being in the borough and county of Queens, city and state of New York,
3 bounded and described as follows:

4 BEGINNING at a point located distant 65.52 feet northwesterly along
5 the northeasterly street line of 93rd Street, from its intersection with
6 the southerly street line of 62nd Avenue, as those streets were
7 hereinbefore laid out on the borough president map;

8 RUNNING THENCE 16.27 feet northwesterly, along said northeasterly
9 street line of 93rd Street to a point;

10 RUNNING THENCE 336.56 feet in an easterly direction, said course form-
11 ing a deflection angle to the left with the previous course of 120
12 degrees 39 minutes 13 second;

13 RUNNING THENCE 14.00 feet in a southerly direction, said course form-
14 ing a deflection angle to the left with the previous course of 90
15 degrees 00 minutes 00 seconds;

16 RUNNING THENCE 328.26 feet in a westerly direction, said course form-
17 ing a deflection angle to the left with the previous course of 90
18 degrees 00 minutes 00 seconds to the point or place of BEGINNING.

19 Said parcel containing approximately 0.107 acre more or less.

20 Such easement volume shall consist of such lands and the above-surface
21 volume above the easement area's maximum finished ground elevation to
22 the sky, subject to the right of the city of New York, and its succes-
23 sors and assigns, to construct improvements up to a height of 30 feet
24 above grade.

25 S 4. The easement volume to be acquired by the city of New York from
26 Alexander's of Rego Park III, Inc. is as follows:

27 A part of block 2076 lot 50, block 2077 lot 50, 98 and 8901 and bed of
28 former 62nd Avenue, more particularly described as follows:

29 ALL that certain plot, piece or parcel of land situate, lying and
30 being in the borough and county of Queens, city and state of New York,
31 bounded and described as follows:

32 BEGINNING at a point located distant 81.80 feet northwesterly along
33 the northeasterly street line of 93rd Street, from its intersection with
34 the southerly street line of 62nd Avenue, as those streets were
35 hereinbefore laid out on the borough president map;

36 RUNNING THENCE 11.62 feet northwesterly, along said northeasterly
37 street line of 93rd Street to a point;

38 RUNNING THENCE 468.33 feet in an easterly direction, said course form-
39 ing a deflection angle to the left with the previous course of 120
40 degrees 39 minutes 13 second;

41 RUNNING THENCE 10.00 feet in a southerly direction, said course form-
42 ing a deflection angle to the left with the previous course of 90
43 degrees 00 minutes 00 seconds;

44 RUNNING THENCE 462.41 feet in a westerly direction, said course form-
45 ing a deflection angle to the left with the previous course of 90
46 degrees 00 minutes 00 seconds to the point or place of BEGINNING.

47 Said parcel containing approximately 0.107 acre more or less.

48 Such easement volume shall consist of such lands and the above-surface
49 volume above the easement area's maximum finished ground elevation to
50 the sky, subject to the right of Alexander's of Rego Park III, Inc., and
51 its successors and assigns, to install non-permanent furniture, fixtures
52 and plantings, such as moveable benches, chairs, tables, trash cans and
53 planters, as well as fixed furniture, with such fixed furniture subject
54 to prior approval by the city of New York.

55 S 5. If the parkland easement volume that is the subject of this act
56 has received funding pursuant to the federal land and water conservation

1 fund, the transfer authorized by the provisions of this act shall not
2 occur until the city of New York has complied with the federal require-
3 ments pertaining to the conversion of parklands, including satisfying
4 the secretary of the interior that the transfer will include all condi-
5 tions which the secretary of the interior deems necessary to assure the
6 substitution of other lands shall be equivalent in fair market value and
7 recreational usefulness to the lands being discontinued.

8 S 6. This act shall take effect immediately.