

7148

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 27, 2015

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Introduced by M. of A. AUBRY -- read once and referred to the Committee  
on Cities

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 ASSEM-  
BLY, 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:  
23    ALL that certain plot, piece or parcel of land situate, lying and  
24    being in the borough and county of Queens, city and state of New York,  
25    bounded and described as follows:

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

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

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

RUNNING THENCE 336.56 feet in an easterly direction, said course forming a deflection angle to the left with the previous course of 120 degrees 39 minutes 13 second;

RUNNING THENCE 14.00 feet in a southerly direction, said course forming a deflection angle to the left with the previous course of 90 degrees 00 minutes 00 seconds;

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

Said parcel containing approximately 0.107 acre more or less.

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

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

A part of block 2076 lot 50, block 2077 lot 50, 98 and 8901 and 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 located distant 81.80 feet northwesterly along the northeasterly street line of 93rd Street, from its intersection with the southerly street line of 62nd Avenue, as those streets were hereinbefore laid out on the borough president map;

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

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

RUNNING THENCE 10.00 feet in a southerly direction, said course forming a deflection angle to the left with the previous course of 90 degrees 00 minutes 00 seconds;

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

Said parcel containing approximately 0.107 acre more or less.

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

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

1 the secretary of the interior that the transfer will include all condi-  
2 tions which the secretary of the interior deems necessary to assure the  
3 substitution of other lands shall be equivalent in fair market value and  
4 recreational usefulness to the lands being discontinued.  
5 S 6. This act shall take effect immediately.