STATE OF NEW YORK

8419

2017-2018 Regular Sessions

IN ASSEMBLY

June 14, 2017

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

AN ACT in relation to authorizing discontinuance of the use as parkland of land in the city of New York commonly known as the Marx Brothers playground

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 department of parks and recreation and the department of education of such city, is hereby authorized to discontinue the use as parkland of the land described in section three of this act, commonly known as the Marx Brothers playground, and to transfer such land to the New York city educational construction fund to permit the construction of a combined occupancy structure, as that term is defined in section 452 of the education law upon such terms and conditions as shall be agreed upon between the parties.

§ 2. The authorization provided in section one of this act shall be effective only upon the condition that the city of New York dedicates an amount equal to or greater than the fair market value of the parklands being discontinued towards the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities within the borough of Manhattan.

§ 3. The lands authorized by section one of this act to be discontinued as parkland are bounded and described as follows:

All that tract or parcel of land situate in the City of New York, County of New York, and State of New York, bounded and described as follows:

Beginning at a point formed by the intersection of the easterly line of Second Avenue (100' wide right of way), with the southerly line of East 97th Street (66' wide right of way), and from said point of beginning running thence; 1. along the said southerly line of East 97th Street, south 61 degrees 00 minutes 41 seconds east, a distance of 319.00 feet

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

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to a point, thence; 2. through the lands of Lot 1, Block 1668, south 28 degrees 59 minutes 19 seconds west, a distance of 201.83 feet to a point on the northerly line of East 96th Street (100' wide right of way), thence; 3. along the said northerly line, north 61 degrees 00 minutes 41 seconds west, a distance of 319.00 feet to a point formed by the intersection of said northerly line of East 96th Street with the said easterly line of Second Avenue, thence; 4. along the said easterly line of Second Avenue, north 28 degrees 59 minutes 19 seconds east, a distance of 201.83 feet to a point and place of beginning, containing 64,384 square feet or 1.478 acres.

§ 4. If the parkland that is described in section three of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parkland authorized by section one 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 with 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.

§ 5. This act shall take effect immediately.