STATE OF NEW YORK

8305--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 6, 2017

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT authorizing the city of New York to discontinue certain parkland for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Notwithstanding the provisions of chapter 734 of the laws of 1963, including any amendments made thereto, and subject to the provisions of this act, the city of New York, acting by and through the commissioner of parks and recreation of such city, is authorized to discontinue the use as parkland the lands described in section three of this act and provide for the use of such lands by the New York city department of education for the purpose of construction and operation of a pre-kindergarten center with a focus on instruction in science, technology, engineering, and mathematics upon such terms and conditions as agreed to by the department of parks and recreation and the department of education.

§ 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 Queens.

§ 3. The lands authorized to be discontinued pursuant to section one of this act are as follows:

A parcel of land lying in Queens, New York, in Tax Block No. 2018 Lot 1, more particularly 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 from the corner formed by the intersection of the westerly line of 111th Street and the southerly line of 46th Avenue. From said point, running easterly 95.51 feet along the projected southerly line of 46th Avenue to a point, thence running southerly 12.80 feet parallel to the west line of 111th Street to a point or place of beginning;

1. Running thence easterly 229.20 feet, forming an interior angle of 271.16 degrees, to a point, thence;

2. Running southerly 186.50 feet, forming an interior angle of 90.00 degrees, to a point of curvature, thence;

3. Along a curve, concave westerly, with a radius of 171.25 feet, an arc length of 99.59 feet, and a chord length of 98.19 feet, forming an interior angle of 117.57 degrees, to a point of cusp, thence;

4. Along a curve with a radius of 176.37 feet, an arc length of 81.55 feet, and a chord length of 80.83 feet, forming an interior angle of 123.00 degrees, to a point; said point being distant 56.46 feet southerly, forming an interior angle of 298.27 degrees, thence westerly 171.17 feet, forming an interior angle of 90.00 degrees, to a point formed by the intersection of the westerly line of 111th Street and the southerly line of 47th Avenue;

5. Thence running westerly 49.05 feet, from the last mentioned course, forming an interior angle to the above mentioned chord of 209.43 degrees, to a point of curvature, thence;

6. Along a curve, concave easterly, with a radius of 1183.83 feet, an arc length of 193.78 feet, and a chord length of 193.57 feet, forming an interior angle of 96.74 degrees, to the point or place of beginning, forming an interior angle of 83.26 degrees with the chord.

Containing 43,515 square feet (0.999 acres).

§ 4. If the parkland 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.

§ 5. If the property described in section three of this act shall ever be used for a purpose other than for the purpose described in section one of this act, such property shall revert back to the city of New York department of parks and recreation to be used for park and recreational purposes or for the purposes provided by chapter 734 of the laws of 1963, including any amendments made thereto.

§ 6. Nothing in this act shall be construed to exempt any pre-kindergarten center established on the lands described in section three of this act from being in compliance with all applicable standards relating to pre-kindergarten programs.

§ 7. This act shall take effect immediately.