

# STATE OF NEW YORK

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8305--A

2017-2018 Regular Sessions

## IN ASSEMBLY

June 6, 2017

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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:

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

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

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

20 A parcel of land lying in Queens, New York, in Tax Block No. 2018 Lot  
21 1, more particularly described as follows;

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

LBD13062-02-7

1 BEGINNING at a point from the corner formed by the intersection of the  
2 westerly line of 111th Street and the southerly line of 46th Avenue.  
3 From said point, running easterly 95.51 feet along the projected south-  
4 erly line of 46th Avenue to a point, thence running southerly 12.80 feet  
5 parallel to the west line of 111th Street to a point or place of begin-  
6 ning;

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

9 2. Running southerly 186.50 feet, forming an interior angle of  
10 90.00 degrees, to a point of curvature, thence;

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

14 4. Along a curve with a radius of 176.37 feet, an arc length of  
15 81.55 feet, and a chord length of 80.83 feet, forming an interior angle  
16 of 123.00 degrees, to a point; said point being distant 56.46 feet  
17 southerly, forming an interior angle of 298.27 degrees, thence westerly  
18 171.17 feet, forming an interior angle of 90.00 degrees, to a point  
19 formed by the intersection of the westerly line of 111th Street and the  
20 southerly line of 47th Avenue;

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

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

28 Containing 43,515 square feet (0.999 acres).

29 § 4. If the parkland that is the subject of this act has received  
30 funding pursuant to the federal land and water conservation fund, the  
31 discontinuance of parklands authorized by the provisions of this act  
32 shall not occur until the municipality has complied with the federal  
33 requirements pertaining to the conversion of parklands, including satis-  
34 fying the secretary of the interior that the discontinuance will include  
35 all conditions which the secretary of the interior deems necessary to  
36 assure the substitution of other lands shall be equivalent in fair  
37 market value and recreational usefulness to the lands being discontin-  
38 ued.

39 § 5. If the property described in section three of this act shall ever  
40 be used for a purpose other than for the purpose described in section  
41 one of this act, such property shall revert back to the city of New York  
42 department of parks and recreation to be used for park and recreational  
43 purposes or for the purposes provided by chapter 734 of the laws of  
44 1963, including any amendments made thereto.

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

49 § 7. This act shall take effect immediately.