

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

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

16 § 3. The lands authorized by section one of this act to be discontin-  
17 ued as parkland are bounded and described as follows:  
18 All that tract or parcel of land situate in the City of New York, County  
19 of New York, and State of New York, bounded and described as follows:  
20 Beginning at a point formed by the intersection of the easterly line of  
21 Second Avenue (100' wide right of way), with the southerly line of East  
22 97th Street (66' wide right of way), and from said point of beginning  
23 running thence; 1. along the said southerly line of East 97th Street,  
24 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.

LBD13085-03-7

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

11 § 4. If the parkland that is described in section three of this act  
12 has received funding pursuant to the federal land and water conservation  
13 fund, the discontinuance of parkland authorized by section one of this  
14 act shall not occur until the city of New York has complied with the  
15 federal requirements pertaining to the conversion of parklands, includ-  
16 ing satisfying the secretary of the interior that the discontinuance  
17 with all conditions which the secretary of the interior deems necessary  
18 to assure the substitution of other lands shall be equivalent in fair  
19 market value and recreational usefulness to the lands being discontin-  
20 ued.

21 § 5. This act shall take effect immediately.