

# STATE OF NEW YORK

8510

## IN SENATE

May 9, 2018

Introduced by Sen. BENJAMIN -- (at request of the Metropolitan Transportation Authority) -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to authorize the city of New York to discontinue certain park lands and to grant permanent easements in the county of New York

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

1 Section 1. Subject to the provisions of this act, but notwithstanding  
2 any provision of law to the contrary, the city of New York is hereby  
3 authorized to discontinue the use as park land two parcels of land  
4 described in section three of this act and to grant permanent easements,  
5 upon such terms and conditions as the city shall determine, to the  
6 metropolitan transportation authority, in such lands for the  
7 construction of protective security fencing around the columns of the  
8 Harlem river lift bridge, operated by the Metro-North commuter railroad  
9 company, a subsidiary of the metropolitan transportation authority, that  
10 carries commuter trains across the Harlem river. The proposed fencing  
11 will protect the Harlem river lift bridge from unauthorized access to  
12 the train tracks above.

13 § 2. The authorizations provided in section one of this act shall take  
14 effect only upon the condition that at the time of the discontinuance of  
15 the park lands described in section three of this act the city shall  
16 acquire additional park lands of equal or greater fair market value  
17 and/or perform capital improvements to existing park and recreational  
18 facilities which are equal to or greater than the fair market value of  
19 those park lands being discontinued by this act.

20 § 3. The lands hereby authorized by section one of this act to be  
21 discontinued as park lands and transferred as permanent easements to the  
22 metropolitan transportation authority are located in the city, county  
23 and state of New York in park land on the east side right of way of  
24 Harlem river drive near 135th street and are bounded and described as  
25 follows:

26 Easterly Parcel  
27 EASEMENT DESCRIPTION

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

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1 All that certain piece or parcel of land situated in the Borough of  
2 Manhattan, City of New York and State of New York being more particular-  
3 ly bounded and described as follows:

4 COMMENCING at the intersection of the southerly boundary of 135th  
5 Street with the westerly boundary of Park Avenue as shown on the current  
6 NYC Tax Maps.

7 THENCE, southeasterly, along the prolongation of said southerly bound-  
8 ary of 135th Street the following: S. 60°58'04" E. a distance of 258.50  
9 feet to the U. S. Pier and Bulkhead Line, established by the U. S. War  
10 Department; thence along said Pier and Bulkhead Line S. 06°38'15" W. a  
11 distance of 51.00 feet to the POINT OR PLACE OF BEGINNING;

12 THENCE, southerly, continuing along the U. S. Pier and Bulkhead Line,  
13 S. 06°38'15" W. a distance of 17.48 feet;

14 THENCE, westerly, N. 82°19'41" W a distance of 44.02 feet;

15 THENCE, southerly, S.07°40'17" W a distance of 144.16 feet;

16 THENCE, easterly, N. 77°21'32" E a distance of 27.92 feet;

17 THENCE, northeasterly, N.58°30'34" E a distance of 34.36 feet to the  
18 aforementioned U. S. Pier and Bulkhead Line;

19 THENCE, southerly, along said Pier and Bulkhead Line S. 03°12'21" W.  
20 a distance of 45.86 feet to the southeasterly corner of the herein  
21 described parcel;

22 THENCE, westerly, N. 86°47'39" W a distance of 2.37 feet;

23 THENCE, westerly, N. 80°09'03" W a distance of 2.52 feet;

24 THENCE, westerly, N. 80°11'16" W a distance of 61.33 feet to the  
25 southwesterly corner of the herein described parcel;

26 THENCE, northerly, N. 07°36'00" E a distance of 156.00 feet to the  
27 northwesterly corner of the herein described parcel;

28 THENCE, easterly, N. 79°03'33" E. a distance of 46.33 feet;

29 THENCE, easterly, N. 79°11'05" E. a distance of 7.38 feet;

30 THENCE, easterly, N. 84°47'37" E. a distance of 2.84 feet to the POINT  
31 OR PLACE OF BEGINNING.

32 Said parcel containing 3,484 square feet of land more or less.

33 Westerly Parcel

34 EASEMENT DESCRIPTION

35 All that certain piece or parcel of land situated in the Borough of  
36 Manhattan, City of New York and State of New York being more particular-  
37 ly bounded and described as follows:

38 COMMENCING at the intersection of the southerly boundary of 135th  
39 Street with the westerly boundary of Park Avenue as shown on the current  
40 NYC Tax Maps;

41 THENCE, southerly, along said westerly boundary of Park Avenue the  
42 following: S. 10°44'36" W. a distance of 233.29 feet; thence, over and  
43 across said Park Avenue S. 79°15'24" E. a distance of 167.64 feet to  
44 the northeasterly corner of an existing steel column supporting the  
45 overhead Metro North Railroad and also being the POINT OR PLACE OF  
46 BEGINNING;

47 THENCE, northerly, N. 14°56'05" W a distance of 5.04 feet;

48 THENCE, easterly, S. 81°36'25" E. a distance of 8.01 feet to the  
49 northeasterly corner of the herein described parcel;

50 THENCE, southerly, S. 08°27'30" W. a distance of 56.38 feet;

51 THENCE, southerly, S. 07°40'31" W. a distance of 59.64 feet to the  
52 southeasterly corner of the herein described parcel;

53 THENCE, westerly, N.84°22'37" W a distance of 8.00 feet the southwes-  
54 terly corner of the herein described parcel;

1 THENCE, northeasterly, N. 34°55'25" E. a distance of 5.98 feet to the  
2 southeasterly corner of an existing steel column supporting the overhead  
3 Metro North Railroad;

4 THENCE, northerly, with the existing concrete support of the overhead  
5 Metro North Railroad to the POINT OR PLACE OF BEGINNING.

6 Said parcel containing 995 square feet of land more or less.

7 § 4. In the event that the city of New York received any funding  
8 support or assistance from the federal government for the purchase,  
9 maintenance or improvement of the parklands set forth in section three  
10 of this act, the discontinuance and alienation of such parkland author-  
11 ized by the provisions of section three of this act shall not occur  
12 until the city of New York has complied with any federal requirements  
13 pertaining to the alienation or conversion of such parklands, including  
14 satisfying the secretary of the interior that the alienation or conver-  
15 sion complies with all conditions which the secretary of the interior  
16 deems necessary to assure the substitution of other lands shall be  
17 equivalent in fair market value and usefulness to the lands being alien-  
18 ated or converted.

19 § 5. This act shall take effect immediately.