

STATE OF NEW YORK

6229

2021-2022 Regular Sessions

IN SENATE

April 16, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT authorizing the city of New York to alienate and discontinue the use of certain portions of parkland known as Idlewild Park

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, acting by
3 and through the commissioner of parks and recreation of such city, is
4 hereby authorized to temporarily discontinue the use of certain portions
5 of parkland, known as Idlewild Park, as described in section five of
6 this act, to enable the department of environmental protection of such
7 city to use such lands for the construction of a storm sewer. Upon
8 completion of such construction, pursuant to the terms thereof, the
9 department of environmental conservation shall, in agreement with the
10 city of New York and in consultation with the local community board,
11 restore the surface of the land such that the land shall continue to be
12 used for park purposes.

13 § 2. Subject to the provisions of this act, but notwithstanding any
14 provision of law to the contrary, the city of New York, acting by and
15 through the commissioner of parks and recreation of such city, is
16 authorized to permanently discontinue the use of certain subsurface
17 portions of parkland, known as Idlewild Park, as described in section
18 six of this act and to transfer such subsurface portions of parkland to
19 the department of environmental protection of such city for use in
20 connection with a storm sewer.

21 § 3. The authorization provided in section one of this act shall be
22 effective only upon the condition that the city of New York dedicate an
23 amount equal to or greater than the fair market value of the use of such
24 discontinued parkland during such construction for the acquisition of

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

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1 additional parkland and/or for capital improvements to existing park and
2 recreational facilities within the borough of Queens.

3 § 4. The authorization provided in section two of this act shall be
4 effective only upon the condition that the city of New York dedicate an
5 amount equal to or greater than the fair market value of the use of such
6 discontinued subsurface parkland for the acquisition of additional park-
7 land and/or for capital improvements to existing park and recreational
8 facilities within the borough of Queens.

9 § 5. The land authorized by section one of this act to be temporarily
10 discontinued as parkland is described as follows:

11 Parcel 1 on tax lot 2 in block 13791, Borough of Queens

12 All that certain plot, piece or parcel of land, situate, lying and
13 being in the Borough of Queens, Queens County, City and State of New
14 York, and bounded and described by the following;

15 BEGINNING at a point on the northerly line of Rockaway Boulevard (117'
16 wide), said point being located a distance of 36.15 feet easterly from
17 the point formed by the intersection of the said northerly line of Rock-
18 away Boulevard and the easterly line of Nassau Expressway. Said point
19 also having coordinates North 177,704.63 and East 1,049,906.18 as refer-
20 enced to the New York State Plane Coordinate System, Long Island Zone,
21 NAD 83 and running thence the following courses;

- 22 1. THENCE North 66° 01' 36" East a distance 247.76 feet to a point;
- 23 2. THENCE South 89° 49' 02" East a distance 327.47 feet to a point;
- 24 3. THENCE South 89° 17' 30" East a distance 243.33 feet to a point;
- 25 4. THENCE South 13° 53' 38" East a distance 195.96 feet to a point;
- 26 5. THENCE South 27° 06' 01" West a distance 433.46 feet to a point on
27 the said northerly line of Rockaway Boulevard;
- 28 6. THENCE along the said northerly line of Rockaway Boulevard North
29 53° 26' 52" West a distance 805.11 feet to a point which is the point or
30 place of BEGINNING.

31 The above described parcel contains an area of 279,772 square feet or
32 6.42 acres.

33 Parcel 2 on tax lot 2 in block 13791, Borough of Queens

34 All that certain plot, piece or parcel of land, situate, lying and
35 being in the Borough of Queens, Queens County, City and State of New
36 York, and bounded and described by the following;

37 BEGINNING at a point on the southerly line of 149th Avenue (80' wide)
38 a distance of 167.27 feet westerly of the prolongation of the westerly
39 line of 225th Street as it intersects the said southerly line of 149th
40 Avenue. Said point of BEGINNING having coordinates North 178,906.14 and
41 East 1,051,297.15 as referenced to the New York State Plane Coordinate
42 System, Long Island Zone, NAD 83 and running thence the following cours-
43 es;

- 44 1. South 25° 55' 43" West a distance 130.97 feet to a point;
- 45 2. THENCE South 58° 40' 00" West a distance 370.49 feet to a point;
- 46 3. THENCE South 21° 23' 36" West a distance 554.65 feet to a point;
- 47 4. THENCE South 13° 53' 38" East a distance 492.98 feet to a point;
- 48 5. THENCE South 27° 06' 01" West a distance 478.85 feet to a point a
49 point on the northerly line of Rockaway Boulevard (117' Wide);
- 50 6. THENCE along the said northerly line of Rockaway Boulevard (117'
51 Wide) North 53° 26' 52" West a distance 85.16 feet to a point;
- 52 7. THENCE North 27° 06' 01" East a distance 433.46 feet to a point;
- 53 8. THENCE North 13° 53' 38" West a distance 488.29 feet to a point;
- 54 9. THENCE North 21° 23' 36" East a distance 609.70 feet to a point;
- 55 10. THENCE North 58° 40' 00" East a distance 374.15 feet to a point;

11. THENCE North 25° 55' 43" East a distance 106.37 feet to a point on the said southerly line of 149th Avenue;

12. THENCE along the said southerly line of 149th Avenue on a curve bearing to the right, having a radius of 1,004.95 feet, a central angle of 0° 38' 32" for an arc length of 11.26 feet with a chord South 64° 17' 48" East a distance 11.26 to a point of tangency;

13. THENCE still along the said southerly line of 149th Avenue South 63° 58' 33" East a distance 72.74 feet to the point or place of BEGINNING.

The above described 84' Wide Storm Sewer Corridor parcel contains an area of 169,679 square feet or 3.90 acres.

§ 6. The subsurface portion of land authorized by section two of this act to be permanently discontinued as parkland is described as follows:

The subsurface volume under Idlewild Park described below has a uniform height of 10.50 feet and width of 44.50 feet and begins at the southerly line of 149th Street at an elevation of -3.40 feet and runs to an elevation of -4.27 feet at the northerly line of Rockaway Boulevard as referenced to the North American Vertical Datum of 1988 (NAVD88).

BEGINNING at a point on the southerly line of 149th Avenue (80' wide) a distance of 187.02 feet westerly of the prolongation of the westerly line of 225th Street as it intersects the said southerly line of 149th Avenue. Said point of BEGINNING having coordinates North 178,914.80 and East 1,051,279.40 as referenced to the New York State Plane Coordinate System, Long Island Zone, NAD 83, with said point of BEGINNING having an elevation of -3.40 feet and running thence the following courses;

1. South 25° 55' 43" West a distance 125.20 feet to a point;

2. THENCE South 58° 40' 00" West a distance 371.35 feet to a point having an elevation of -3.56 feet;

3. THENCE South 21° 23' 36" West a distance 567.60 feet to a point having an elevation of -3.78 feet;

4. THENCE South 13° 53' 38" East a distance 491.84 feet to a point;

5. THENCE South 26° 56' 39" West a distance 468.41 feet to a point on the northerly line of Rockaway Boulevard (117' Wide) having an elevation of -4.11 feet;

6. THENCE along the said northerly line of Rockaway Boulevard North 53° 26' 52" West a distance 45.13 feet to a point;

7. THENCE North 26° 56' 39" East a distance 444.31 feet to a point;

8. THENCE North 13° 53' 38" West a distance 489.43 feet to a point having an elevation of -3.78 feet;

9. THENCE North 21° 23' 36" East a distance 596.76 feet to a point having an elevation of -3.56 feet;

10. THENCE North 58° 40' 00" East a distance 373.29 feet to a point;

11. THENCE North 25° 55' 43" East a distance 112.20 feet to a point on the southerly line of 149th Avenue (80' wide);

12. THENCE along the said southerly line of 149th Avenue South 63° 58' 33" East a distance 44.50 feet to the point or place of BEGINNING.

The above parcel also contains a volume of 943,940 cubic feet based on the uniform height of 10.50 feet and width of 44.50 feet.

The volume under the Park permanently alienated for the storm sewer has a footprint with an area of 89,899 square feet or 2.06 acres.

§ 7. In the event that the city of New York received any funding, support or assistance from the federal government pursuant to the federal land and water conservation fund for the purchase, maintenance or improvement of the parklands set forth in sections three and four of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the city of New York

1 has complied with the federal requirements pertaining to the conversion
2 of parklands, including satisfying the secretary of the interior that
3 the discontinuance will include all conditions which the secretary of
4 the interior deems necessary to assure the substitution of other lands
5 shall be equivalent in fair market value and recreational usefulness to
6 the lands being discontinued.

7 § 8. This act shall take effect immediately.