STATE OF NEW YORK

6682

2023-2024 Regular Sessions

IN SENATE

May 4, 2023

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, in relation to making technical corrections thereto; to repeal section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county; and to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York

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

Section 1. Section 1 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, is amended to read as follows:

Section 1. Subject to the provisions of this act, but notwithstanding any provision of law to the contrary, the city of New York is hereby authorized to discontinue the use as parklands [~~of~~] the lands described in section three of this act and to grant easements **affecting such lands** to the metropolitan transportation authority, upon such terms and condi-

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

LBD11069-02-3

tions as the city **of New York and the metropolitan transportation authority** shall determine, to enable the metropolitan transportation authority and Metro-North commuter railroad company, [~~an affiliate~~] **a subsidiary** of the metropolitan transportation authority, to [~~construct improvements and~~] gain ingress and egress to and from railroad equipment, stations and right-of-way on such former parkland, [~~and to construct below surface and surface utility infrastructure,~~] in order to bring Metro-North commuter railroad company service to four new stations in the Bronx and to Pennsylvania Station in the county of New York **in connection with the capital project known as Penn Station Access**.

§ 2. Section 2 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, is amended to read as follows:

§ 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 capital improvements to existing parklands and recreational facilities within the borough of the Bronx.

§ 3. Section 3 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, is amended to read as follows:

§ 3. The lands hereby authorized to be discontinued as parklands and for which easements may be granted to the metropolitan transportation authority are located in the county of the Bronx, city and state of New York, and are bounded and described as follows:

Easement 1 on BLOCK 3861, PART OF LOT 14:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA STE-115-03: HORIZONTAL LIMITS

Beginning at a point in the southeast line of Block 3861, Lot 14, as depicted to the City of New York (Reputed Owner) as per Reel 770 Page 1136, as recorded in the Register's Office of the City of New York, Borough of the Bronx, same being a northwest line of Block 3861, Lot 8, being N 65°40'15" W, distant 242.23 feet from the intersection of the northeast line of E. 172nd Street (60 feet wide) and the northwest line of Bronx River Avenue (100 feet wide) to a common corner of said Lots 14 and 8, N 30°52'59" E, distant 246.92 feet along a common line between said Lots 14 and 8 to the said Point of Beginning having coordinates N 242,522.5836, E 1,016,853.7105, and running thence;

Northwesterly, leaving said common line, crossing said Lot 14, N 59°07'01" W, a distance of 7.66 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 30°52'59" E, a distance of 103.45 feet to a point, thence;

Southeasterly, continuing across said Lot 14, S 59°07'01" E, a distance of 7.66 feet to a point, said point being in the common line between said Lots 14 and 8, thence;

Southwesterly, along said common line, S 30°52'59" W, a distance of 103.45 feet to the Point or Place of Beginning and containing 792 square feet (0.018 acres) of land more or less.

Easement 2 on BLOCK 3861, PART OF LOT 14: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA STE-116-02A: HORIZONTAL LIMITS

Beginning at a point in Block 3861, Lot 14, as depicted to the City of New York (Reputed Owner) as per Reel 770 Page 1136, as recorded in the Register's Office of the City of New York, Borough of the Bronx, same being a northwest line of Block 3861, Lot 8, being N 65°40'15" W, distant 242.23 feet from the intersection of the northeast line of E. 172nd Street (60 feet wide) and the northwest line of Bronx River Avenue (100 feet wide) to a common corner of said Lots 14, and 8, N 30°52'59" E, distant 246.92 feet along a common line between said Lots 14 and 8, N 59°07'01" W, distant 7.66 feet leaving said common line and crossing said Lot 14 to the said Point of Beginning having coordinates N 242,526.5132, E 1,016,847.1402, and running thence;

Northwesterly, continuing across said Lot 14, N 59°07'01" W, a distance of 17.31 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 30°00'36" E, a distance of 50.98 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N30°49'33"E, a distance of 70.57 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 31°33'35" E, a distance of 88.39 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 32°14'48" E, a distance of 107.82 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 33°04'35" E, a distance of 60.89 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 33°35'42" E, a distance of 42.32 feet to a point, thence;

Northeasterly, continuing across said Lot 14 along a curve to the left, having a radius 771.90 feet, an arc length of 133.13 feet, and a chord that bears N 27°40'31" E, a distance of 132.97 feet to a point, thence;

Northeasterly, continuing across said Lot 14 along a curve to the left, having a radius 626.87 feet, an arc length of 27.45 feet, and a chord that bears N 22°38'50" E, a distance of 27.45 feet to a point, said point being in a northeast line of said Lot 14, same being a south-west line of Block 3861, Lot 114, thence;

Southwesterly, along said common line, S 10°22'48" W, a distance of 77.44 feet to a point, thence;

Southwesterly, leaving said common line and crossing said Lot 14 along a curve to the right, having a radius 789.90 feet, an arc length of 88.00 feet, and a chord that bears S 29°25'29" W, a distance of 87.96 feet to a point, thence;

Southwesterly, continuing across said Lot 14, S 33°35'29" W, a distance of [~~42.47~~] 42.63 feet to a point, thence;

Southwesterly, continuing across said Lot 14, [~~S 32°58'25" W~~] S 33°04'32" W, a distance of [~~60.76~~] 60.00 feet to a point, thence;

Southwesterly, continuing across said Lot 14, [~~S 32°18'18" W~~] S 32°14'48" W, a distance of 107.59 feet to a point, thence;

Southwesterly, continuing across said Lot 14, S 31°33'35" W, a distance of 88.17 feet to a point, thence;

Southwesterly, continuing across said Lot 14, S 30°22'14" W, a distance of 18.00 feet to a point, thence;

Southwesterly, continuing across said Lot 14, S 30°52'59" W, a distance of 103.45 feet to the Point or Place of Beginning and containing 9,767 square feet (0.224 acres) of land more or less.

Easement 3 on BLOCK 3861, PART OF LOT 14: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA STE-116-02B: HORIZONTAL LIMITS

Beginning at a point in a southeast line of Block 3861, Lot 14, as depicted to the City of New York (Reputed Owner) as per Reel 770 Page 1136, as recorded in the Register's Office of the City of New York, Borough of the Bronx, same being a northwest line of Block 3861, Lot 114, being N 65°39'02" W, distant 315.96 feet from the intersection of the southwest line of East 174th Street (80 feet wide) and the northwest line of Bronx River Avenue (100 feet wide), along said southwest line to the common corner of said Lot 14 and Block 3861, Lot 114, S 25°23'15" W, distant 75.09 feet along the common line between said Lots 14 and 114 to the said Point of Beginning having coordinates N 243,353.3499, E 1,017,273.8724, and running thence;

Southwesterly, continuing along said common line, S 25°23'15" W, a distance of 37.54 feet to a point, thence;

Southwesterly, leaving said common line, crossing said Lot 14, along a curve to the left, having a radius of 201.86 feet, an arc length of 97.38 feet, and a chord that bears S 33°57'13" W, a distance of 96.45 feet to a point, thence;

Southwesterly, continuing across said Lot 14, S 15°04'20" W, a distance of 80.23 feet to a point said point being on the said common line between Lots 14 and 114, thence;

Southwesterly, continuing along said common line, S 25°23'15" W, a distance of 107.08 feet to a point, thence;

Northeasterly, leaving said common line, crossing said Lot 14, N 18°52'55" E, a distance of 11.88 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 16°41'14" E, a distance of 49.13 feet to a point, thence;

Northeasterly, continuing across said Lot 14, N 14°24'26" E, a distance of 107.98 feet to a point, thence;

Northeasterly, continuing across said Lot 14, along a curve to the right, having a radius of 201.08 feet, an arc length of 121.59 feet, and a chord that bears N 31°33'40" E, a distance of 119.74 feet to a point, thence;

Northeasterly, continuing across said Lot 14, along a curve to the right, having a radius of 185.72 feet, an arc length of 37.40 feet, and a chord that bears N 51°33'21" E, a distance of 37.34 feet to the Point or Place of Beginning and containing 4,406 square feet (0.101 acres) of land more or less.

Easement 4 on BLOCK 3861, PART OF LOT 114: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA STE-116-03: HORIZONTAL LIMITS

Beginning at a point in a northwest line of Block 3861, Lot 114, as depicted to the City of New York (Reputed Owner) as per Reel 290 Page 20, as recorded in the Register's Office of the City of New York, Borough of the Bronx, same being a southeast line of Block 3861, Lot 14,

being N 65°39'02" W, distant 315.96 feet from the intersection of the southwest line of East 174th Street (80 feet wide) and the northwest line of Bronx River Avenue (100 feet wide), along said southwest line to the common corner of said Lot 14 and Block 3861, Lot 114, S 25°23'15" W, distant 286.95 feet along the common line between said Lots 14 and 114 to the said Point of Beginning having coordinates N 243,161.9562, E 1,017,183.0434, and running thence;

Southwesterly, leaving said common line, crossing said Lot 114, S 15°04'20" W, a distance of 25.49 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 15°15'32" W, a distance of 35.28 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 16°14'46" W, a distance of 24.96 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 18°16'10" W, a distance of 16.37 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 19°27'15" W, a distance of 28.06 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 21°36'23" W, a distance of 47.44 feet to a point, thence;

Southwesterly, continuing across said Lot 114, along a curve to the right, having a radius of 789.88 feet, an arc length of 36.79 feet, and a chord that bears S 24°49'11" W, a distance of 36.78 feet to a point. Said point being on the common line between said Lots 114 and 14, thence;

Northeasterly, along said common line, N 10°22'48" E, a distance of 89.42 feet to a point, thence;

Northeasterly, continuing along said common line, N 25°23'15" E, a distance of 126.35 feet to the Point or Place of Beginning and containing 2,257 square feet (0.052 acres) of land more or less.

Easement 5 on BLOCK 3861, PART OF LOT 114: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA STE-116-05: HORIZONTAL LIMITS

Beginning at a point in a northeast line of Block 3861, Lot 114, as depicted to the City of New York (Reputed Owner) as per Reel 290 Page 20, as recorded in the Register's Office of the City of New York, Borough of the Bronx, same being a southwest line of E. 174th Street (80 feet wide) being N 65°39'02" W, distant 266.86 feet from the intersection of the southwest line of East 174th Street and the northwest line of Bronx River Avenue (100 feet wide), along said southwest line to the said Point of Beginning having coordinates N 243,400.9477, E 1,017,350.8040, and running thence;

Southwesterly, leaving said common line, along a curve to the right, having a radius of 181.58 feet, an arc length of 6.77 feet, and a chord that bears S 39°37'44" W, a distance of 6.77 feet to a point, thence;

Southwesterly, crossing said Lot 114, along a curve to the right, having a radius of 140.49 feet, an arc length of 47.24 feet, and a chord that bears S 43°22'54" W, a distance of 47.02 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 51°25'10" W, a distance of 9.40 feet to a point, thence;

Southwesterly, continuing across said Lot 114, along a curve to the right, having a radius of 112.86 feet, an arc length of 20.56 feet, and a chord that bears S 53°51'05" W, a distance of 20.53 feet to a point, thence;

Southwesterly, continuing across said Lot 114, along a curve to the left, having a radius of 201.86 feet, an arc length of 24.58 feet, and a chord that bears S 55°36'56" W, a distance of 24.56 feet to a point, thence;

Southwesterly, continuing across said Lot 114, S 49°54'54" W, a distance of 15.96 feet to a point, said point being a northwest line of said Lot 114, same being a southeast line of Block 3861, Lot 14, thence;

Northeasterly, along said common line, N 25°23'15" E, a distance of 37.54 feet to a point, thence;

Northeasterly, leaving said common line, crossing said Lot 114 along a curve to the right, having a radius of 185.72 feet, an arc length of 6.94 feet, and a chord that bears N 58°23'47" E, a distance of 6.94 feet to a point, thence;

Northeasterly, continuing across said Lot 114 along a curve to the left, having a radius of 209.63 feet, an arc length of 61.64 feet, and a chord that bears N 48°31'41" E, a distance of 61.42 feet to a point, thence;

Northeasterly, continuing across said Lot 114, N 41°28'18" E, a distance of 13.91 feet to a point, said point being on the common line between said Lot 114 and E. 174th Street, thence;

Southeasterly, along said common line, S 65°39'02" E, a distance of 17.31 feet to the Point or Place of Beginning and containing 1,772 square feet (0.041 acres) of land more or less.

Easement 6 [~~on E. 174TH ST. ROW BETWEEN BRONX RIVER AVE. AND SHERIDAN BLVD.: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX, COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:~~

~~AREA STE 116-06: HORIZONTAL LIMITS~~

~~Beginning at a point in the northeast line of Block 3861, Lot 114, same being a southwest line of E. 174th Street (80 feet wide), as depicted to City of New York (Reputed Owner) as per the Tax Maps of the City of New York, Borough of the Bronx, being northwesterly from the intersection of the southwest line of said E. 174th Street and the northwest line of Bronx River Avenue (100 feet wide), N 65°39'02" W, distant 266.87 feet, to said Point of Beginning having coordinates N 243,400.9539, E 1,017,350.7903, and running thence;~~

~~Northwesterly, continuing along said common line, N 65°39'02" W, a distance of 17.31 feet to a point, thence;~~

~~Northeasterly, leaving said common line and crossing said E. 174th Street right-of-way along a curve to the left, having a radius of 902.29 feet, an arc length of 70.50 feet, and a chord that bears N 27°49'05" E, a distance of 70.49 feet to a point, thence;~~

~~Northeasterly, continuing across said E. 174th Street right-of-way along a curve to the left, having a radius of 40.00 feet, an arc length of 9.52 feet, and a chord that bears N 20°29'28" E, a distance of 9.50 feet to a point, said point being in the northeast line of said E. 174th Street, same being the southeast line of Block 3904, thence;~~

~~Southeasterly, along said common line, S 65°38'27" E, a distance of 18.21 feet to a point, thence;~~

~~Southwesterly, leaving said common line and crossing said E. 174th Street right-of-way along a curve to the right, having a radius of 900.26 feet, an arc length of 79.98 feet, and a chord that bears S 27°35'36" W, a distance of 79.96 feet to the Point or Place of Beginning and containing 1,388 square feet (0.032 acres) of land more or less.~~

~~Easement 7~~] on BLOCK [~~4435~~] **4335** PART OF LOT 2: ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH [~~&~~] **OF**

THE BRONX, COUNTY OF [~~THE~~] BRONX, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA C10: HORIZONTAL LIMITS

Beginning at a point on a northwest line of Block 4335, Lot 2, as depicted to the City of New York (Reputed Owner) for New York City Parks and Recreation as per the Tax Map of the City of New York, Borough of the Bronx, and as per NYC OpenData Records, being S 66°52'39" W, distant 711.41 feet from the intersection of the southwest line of De Reimer Avenue (60 feet wide) and the northwest line of Erskine Place (60 feet wide), along said northwest line of Erskine Place, S 23°07'21" E, distant 385.00 feet perpendicular to the said northwest line to the said Point of Beginning having coordinates N 251,935.6602, E 1,031,770.1341, and running thence;

Southeasterly, leaving said common line and crossing said Lot 2, along a curve to the left, having a radius of 155.94 feet, an arc length of 152.17 feet, and a chord that bears S 53°22'58" E, a distance of 146.21 feet to a point, thence;

Northeasterly, continuing across said Lot 2, along a curve to the left, having a radius of 163.98 feet, an arc length of 142.47 feet, and a chord that bears N 74°42'49" E, a distance of 138.03 feet to a point, thence;

Southwesterly, continuing across said Lot 2, along a curve to the right, having a radius of 283.96 feet, an arc length of 53.52 feet, and a chord that bears S 35°02'31" W, a distance of 53.44 feet to a point, thence;

Southwesterly, continuing across said Lot 2, along a curve to the right, having a radius of 184.98 feet, an arc length of 108.34 feet, and a chord that bears S 82°49'33" W, a distance of 106.80 feet to a point, thence;

Northwesterly, continuing across said Lot 2, along a curve to the right, having a radius of 176.94 feet, an arc length of 57.98 feet, and a chord that bears N 71°54'00" W, a distance of 57.38 feet to a point, thence;

Southeasterly, continuing across said Lot 2, along a curve to the right, having a radius of 102.77 feet, an arc length of 149.48 feet, and a chord that bears S 15°45'46" E, a distance of 136.65 feet to a point, thence;

Southwesterly, continuing across said Lot 2, along a curve to the right, having a radius of 4,476.34 feet, an arc length of 31.41 feet, and a chord that bears S 45°42'22" W, a distance of 31.41 feet to a point, thence;

Northeasterly, continuing across said Lot 2, along a curve to the left, having a radius of 122.36 feet, an arc length of 82.21 feet, and a chord that bears N 12°09'48" E, a distance of 80.67 feet to a point, thence;

Northwesterly, continuing across said Lot 2, along a curve to the left, having a radius of 96.79 feet, an arc length of 58.65 feet, and a chord that bears N 27°41'20" W, a distance of 57.76 feet to a point, thence;

Northwesterly, continuing across said Lot 2, N 45°02'53" W, a distance of 26.75 feet to a point, thence;

Northwesterly, continuing across said Lot 2, N 45°14'14" W, a distance of 30.65 feet to a point, thence;

Northwesterly, continuing across said Lot 2, N 41°59'32" W, a distance of 25.49 feet to a point, thence;

Northwesterly, continuing across said Lot 2, along a curve to the right, having a radius of 180.94 feet, an arc length of 49.78 feet, and a chord that bears N 34°06'40" W, a distance of 49.62 feet to a point, said point being on the northwest line of Lot 2, same being a southeast right-of-line of said northwest line of Block 4335, Lot 2, thence;

Northeasterly, along said common line, N 58°46'49" E, a distance of 25.11 feet to the Point or Place of Beginning and containing 8,874 square feet (0.204 acres) more or less.

[~~Subsurface easement 1 on PART OF PELHAM BAY PARK. ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:~~

~~AREA STE-145-01: HORIZONTAL LIMITS~~

~~Beginning at a point on the southeasterly line of Block 5650 Lot 100, as depicted to the National Railroad Passenger Corporation (Amtrak) (Reputed Owner), as per Reel 374, Page 289, as recorded in the Register's Office of the City of New York, Borough of the Bronx, as the successor in title to the New York, New Haven and Hartford Railroad through the Consolidated Rail Corporation (Conrail) and the Regional Rail Reorganization Act of 1973, same being a point on the northwesterly line of Block 5650 Lot 1, as depicted to the City of New York per the Tax Map of the City of New York, Borough of the Bronx, being the following two courses from the intersection of the physical centerline of Orchard Beach Road with the monumented six track centerline as depicted on Station Map-Lands The Harlem River and Port Chester R.R. Co. Operated by The New York and New Haven and Hartford R.R. Co. V81.82 S.L. 9 dated June 30, 1915, at station 454+39.9 more or less of the monumented six track centerline; thence along the monumented six track centerline, North 25°03'09"East 1,583.8 feet more or less, to a point at station 470+23.73 of the monumented six track centerline, said point also being South 25°03'09"West 4,813.02 feet, measured along the monumented six track centerline, from the intersection of the monumented six track centerline with the Bronx / Westchester County Line, thence; South 64°56'51" East 61.50 feet to the southeasterly line of Block 5650 Lot 100 and the Point or Place of Beginning, having coordinates of N: 257,712.6802 E: 1,036,753.8721 and running thence;~~

~~Northeasterly along a line common to Lot 1 and Lot 100 North 25°03'09" East a distance of 20.00 feet to a point, thence;~~

~~Southeasterly through a portion of Lot 1 South 63°25'40" East a distance of 13.44 feet to a point, thence;~~

~~Southwesterly through a portion of Lot 1 South 25°26'32" West a distance of 20.00 feet to a point, thence;~~

~~Northwesterly through a portion of Lot 1 North 63°25'40" West a distance of 13.31 feet to the Point or Place of Beginning and containing 267 square feet (0.006 acres) more or less.~~

~~Subsurface easement 2 on PART OF PELHAM BAY PARK. ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:~~

~~AREA STE-145-02: HORIZONTAL LIMITS~~

~~Beginning at a point on the northwesterly line of Block 5650 Lot 100, as depicted to the National Railroad Passenger Corporation (Amtrak) (Reputed Owner), as per Reel 374, Page 289, as recorded in the Register's Office of the City of New York, Borough of the Bronx, as successor in title to the New York, New Haven and Hartford Railroad through the Consolidated Rail Corporation (Conrail) and the Regional Rail Reorgan-~~

~~ization Act of 1973, same being a point on the southeasterly line of Block 5650 Lot 2, as depicted to the City of New York per the Tax Map of the City of New York, Borough of the Bronx, being the following two courses from the intersection of the physical centerline of Orchard Beach Road with the monumented six track centerline as depicted on Station Map-Lands The Harlem River and Port Chester R.R. Co. Operated by The New York and New Haven and Hartford R.R. Co. V81.82 S.L. 9 dated June 30, 1915, at station 454+39.9 more or less of the monumented six track centerline; thence along the monumented six track centerline, North 25°03'09" East 1602.5 feet more or less, to a point at station 470+42.42 of the monumented six track centerline, said point also being South 25°03'09" West 4,794.33 feet, measured along the monumented six track centerline, from the Bronx / Westchester County Line, thence; North 64°56'51" West 67.71 feet to the northwesterly line of Block 5650 Lot 100 and the Point or Place of Beginning, having coordinates of N: 257,784.3343 E: 1,036,644.7326 and running thence;~~

~~Northwesterly through a portion of Block 5650 Lot 2 North 62°32'08" West a distance of 13.90 feet to a point, thence;~~

~~Northeasterly through a portion of Lot 2 North 27°27'52" East a distance of 76.16 feet to a point, thence;~~

~~Southeasterly through a portion of Lot 2 South 62°32'08" East a distance of 16.91 feet to a point, said point being on the line common to Lot 2 and Lot 100, thence;~~

~~Southwesterly along a line common to Lot 2 and Lot 100 South 25°03'09" West a distance of 29.72 feet to a point, said point being on common corner of Lot 2 and Lot 100, at an offset of 61.50 feet to the northwest from station 470+88.67 of the monumented six track centerline, thence;~~

~~Northwesterly along a line common to Lot 2 and Lot 100 North 64°56'11" West a distance of 6.00 feet to a point, said point being a common corner of Lot 2 and Lot 100, at an offset of 67.50 feet to the northwest from station 470+88.67 of the monumented six track centerline, thence;~~

~~Southwesterly along a line common to Lot 2 and Lot 100 South 25°19'01" West a distance of 46.25 feet to the Point or Place of Beginning and containing 1,127 square feet (0.026 acres) more or less.~~]

§ 4. Section 4 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, is amended to read as follows:

§ 4. In the event that the city of New York received any funding, support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section three of this act **or section eight of a chapter of the laws of two thousand twenty-three amending chapter 544 of the laws of 2022**, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the city of New York has complied with any federal **and state** requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior **and the office of parks, recreation and historic preservation** that the alienation or conversion complies with all conditions which the secretary of the interior **and commissioner** deems necessary to assure the substitution of other lands shall be equivalent in fair market value and **recreational** usefulness to the lands being alienated or converted.

§ 5. Section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county

of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, is REPEALED.

§ 6. Subject to the provisions of this act, but notwithstanding any provision of law to the contrary, the city of New York is hereby authorized to discontinue the use as parklands the lands described in section eight of this act and to grant easements affecting such lands to the metropolitan transportation authority, upon such terms and conditions as the city of New York and the metropolitan transportation authority shall determine, to enable the metropolitan transportation authority and Metro-North commuter railroad company, a subsidiary of the metropolitan transportation authority, to construct railroad utility infrastructure improvements, in order to bring Metro-North commuter railroad company service to four new stations in the Bronx and to Pennsylvania Station in the county of New York in connection with the capital project known as Penn Station Access.

§ 7. The authorization provided in section six 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 capital improvements to existing parklands and recreational facilities within the borough of the Bronx.

§ 8. The lands hereby authorized to be discontinued as parklands and for which easements may be granted to the metropolitan transportation authority are located in the county of the Bronx, city and state of New York, and are bounded and described as follows:

Easement 7 on BRONX BLOCK 3861 PART OF LOT 14

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA OCS-81H 1/2: (PERMANENT EASEMENT)

Beginning at a point, said point being on the northwesterly side of Block 3861 Lot 8, as depicted to National Railroad Passenger Corporation (Amtrak) (Reputed Owner), as per Reel 105 Page 1496, as recorded in the Register's Office of the City of New York, Borough of The Bronx, as successor in title to New York, New Haven and Hartford Railroad, through the Consolidated Rail Reorganization Act of 1973, being the following seven courses and distances from a point, said point being the intersection of the southwesterly side of East 174th Street (80 Feet Wide) with the northwesterly side of Bronx River Avenue (100 Feet Wide), as depicted on Bronx Record Map Section 38, amended and corrected to 01/20/1947, last revised 08/08/2001, as recorded in the Topographic Bureau of the Bronx Borough President's Office,

1. Along said southwesterly side of East 174th Street, North 65°38'27" West a distance of 237.44 feet, to a point, said point being the intersection of the northwesterly side of said National Railroad Passenger Corporation with the southwesterly side of East 174th Street, also being the northeasterly corner of property depicted to The City of New York (Reputed Owner) as Parcel 1 as per Deed Liber 1111 Page 379, dated December 23, 1940, as recorded in the Register's Office of the City of New York, Borough of the Bronx, thence;

2. Along the northwesterly side of said property of National Railroad Passenger Corporation, southwesterly along the arc of a curve bearing to the left, said curve having a radius of 2,345.01 feet, an arc length of

5.92 feet, which bears a chord South 30°49'43" West a distance of 5.92 feet, to a point, thence;

3. Continuing along the same, southwesterly South 37°10'01" West a distance of 183.61 feet, to a point, thence;

4. Continuing along the same, southwesterly South 24°39'41" West, a distance of 183.61 feet, to a point, thence;

5. Continuing along the same, southeasterly South 59°05'10" East, a distance of 5.00 feet, to a point, thence;

6. Continuing along the same, southwesterly South 30°54'50" West, a distance of 165.46 feet, to an angle point in the United States pierhead and bulkhead line established on August 9, 1940, also being the southerly corner of said land depicted to The City of New York (Reputed Owner) as Parcel 1 as per Deed Liber 1111 Page 379, also being a point on the southeasterly side of Block 3861 Lot 14, as depicted to The City of New York, as per Reel 770 Page 1176, dated June 25th 1987, as recorded in the Register's Office of the City of New York, Borough of the Bronx, thence;

7. Continuing along said common line of National Railroad Passenger Corporation and The City of New York, southwesterly South 30°54'50" West, a distance of 168.84 feet, to a point, said point being the Point of Beginning, having coordinates N: 242,780.829 E: 1,017,019.931 and running thence; Southwesterly, along said common line, South 30°54'50" West, a distance of 14.00 feet, to a point, thence;

Through said land of The City of New York, northwesterly North 59°05'10" West, a distance of 10.00 feet, thence;

Continuing through land of The City of New York, northeasterly North 30°54'50" East, a distance of 14.00 feet, thence;

Continuing through land of The City of New York, southeasterly South 59°05'10" East, a distance of 10.00 feet, to a point on said common line between National Railroad Passenger Corporation and The City of New York, at the Point of Beginning and containing 140 square feet (0.003 acres) more or less.

Easement 8 on BRONX BLOCK 3861 PART OF LOT 114

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH & COUNTY OF THE BRONX, CITY AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS FOLLOWS:

AREA OCS-82H 1/3: (PERMANENT EASEMENT)

Beginning at a point, said point being on the northwesterly side of Block 3861 Lot 8, as depicted to National Railroad Passenger Corporation (Amtrak) (Reputed Owner), as per Reel 105, Page 1496, as recorded in the Register's Office of the City of New York, Borough of The Bronx, as successor in title to New York, New Haven and Hartford Railroad, through the Consolidated Rail Reorganization Act of 1973, being the following seven courses and distances from a point, said point being the intersection of the southwesterly side of East 174th Street (80 Feet Wide) with the northwesterly side of Bronx River Avenue (100 Feet Wide), as depicted on Bronx Record Map Section 38, amended and corrected to 01/20/1947, last revised 08/08/2001, as recorded in the Topographic Bureau of the Bronx Borough President's Office,

1. Along said southwesterly side of East 174th Street, North 65°38'27" West a distance of 237.44 feet, to a point, said point being the intersection of the northwesterly side of said National Railroad Passenger Corporation with the southwesterly side of East 174th Street, also being the northeasterly corner of property depicted to The City of New York (Reputed Owner) as Parcel 1 as per Deed Liber 1111 Page 379, dated

December 23, 1940, as recorded in the Register's Office of the City of New York, Borough of the Bronx, thence;

2. Along the northwesterly side of said property of National Railroad Passenger Corporation, southwesterly along the arc of a curve bearing to the left, said curve having a radius of 2,345.01 feet, an arc length of 5.92 feet, which bears a chord South 30°49'43" West a distance of 5.92 feet, to a point, thence;

3. Continuing along the same, southwesterly South 37°10'01" West a distance of 183.61 feet, to a point, thence;

4. Continuing along the same, southwesterly South 24°39'41" West, a distance of 183.61 feet, to a point, thence;

5. Continuing along the same, southeasterly South 59°05'10" East, a distance of 5.00 feet, to a point, thence;

6. Continuing along the same, southwesterly South 30°54'50" West, a distance of 64.31 feet, to a point, said point being the Point of Beginning, having coordinates N: 243,012.463 E: 1,017,158.637 and running thence;

Southwesterly, continuing along said common line, South 30°54'50" West, a distance of 14.00 feet, to a point, thence;

Through said land of The City of New York, northwesterly North 59°05'10" West, a distance of 10.00 feet, thence;

Continuing through land of The City of New York, northeasterly North 30°54'50" East, a distance of 14.00 feet, thence;

Continuing through land of The City of New York, southeasterly South 59°05'10" East, a distance of 10.00 feet, to a point on said common line between National Railroad Passenger Corporation and The City of New York, at the Point of Beginning and containing 140 square feet (0.003 acres) more or less.

§ 9. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after August 17, 2022.