STATE OF NEW YORK

9132

IN SENATE

April 29, 2024

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

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 of New York, in relation to discontinuing additional parkland and granting additional easements

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 of New York, as amended by chapter 231 of the laws of 2023, 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 the lands described in sections three [~~and~~], three-a **and three-b** 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 shall determine, to enable the metropolitan transportation authority and Metro-North commuter railroad company, 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, 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 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 of New

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

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York, as amended by chapter 231 of the laws of 2023, 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 sections three [~~and~~], three-a and three-b 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 has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior 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.

§ 3. 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 of New York, is amended by adding a new section 3-b to read as follows:

§ 3-b. 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 9 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 (ACCESS EASEMENT OVER AN EXISTING PATH) HORIZONTAL LIMITS

Commencing at the corner formed by the intersection of the northerly side of East 172nd Street (60 feet wide) with the westerly side of Bronx River Avenue (100 feet wide), as depicted on Bronx Record Map Section 38, as amended and corrected on 1/20/1947, last revised on 8/8/2001, and recorded at the Topographic Bureau of the Bronx Borough President's Office, running thence the following four courses and distances:

1. Along the northerly side of East 172nd Street, and crossing Bronx Tax Block 3861, Lot 8R, as depicted to National Railroad Passenger Corporation (Amtrak), North 65°38'24" West, a distance of 242.23 feet to a point, said point being the southeast corner of Bronx Tax Block 3861, Lot 14, as shown on the current Tax Map of the City of New York, Borough and County of the Bronx, thence;

2. Along the line common between said Lot 8R, and said Lot 14, North 30°54'49" East, a distance of 62.89 feet to a point, thence;

3. Leaving said common line, crossing said Lot 14, North 59°05'51" West, a distance of 23.66 feet to a point, thence;

4. Continuing across said Lot 14, North 10°27'28" West, a distance of 16.51 feet to the Point or Place of Beginning, having coordinates N: 242,393.095, E: 1,016,735.795, and running thence;

Continuing across said Lot 14, North 10°27'23" West, a distance of 19.39 feet to a point, thence;

Continuing across said Lot 14, along an arc of a curve bearing to the left, having a radius of 75.00 feet, an arc length of 17.53 feet, an internal angle of 13°23'34", a chord bearing of North 69°29'16" East, and a distance of 17.49 feet to a point, thence;

Continuing across said Lot 14, along an arc of a curve bearing to the left, having a radius of 159.00 feet, an arc length of 49.27 feet, an

internal angle of 17°45'19", a chord bearing of North 48°22'09" East, and a distance of 49.08 feet to a point, thence;

Continuing across said Lot 14, North 29°00'40" East, a distance of 96.68 feet to a point, thence;

Continuing across said Lot 14, South 59°05'11" East, a distance of 24.97 feet to a point, said point being on the common line between said Lot 14 and said Lot 8R, thence;

Continuing along said common line, South 30°54'50" West, a distance of 120.82 feet to a point, thence; Leaving said common line, crossing said Lot 14, North 59°05'14" West, a distance of 7.65 feet to a point, thence;

Continuing across said Lot 14, along an arc of a curve bearing to the right, having a radius of 114.00 feet, an arc length of 58.17 feet, an internal angle of 29°14'05", a chord bearing of South 58°49'28" West, and a distance of 57.54 feet to the Point or Place of Beginning and containing 3,791 square feet (0.087 Ac.) more or less.

Easement 10 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 (PERMANENT EASEMENT FOR SERVICE VEHICLE PARKING) HORIZONTAL LIMITS

Commencing at the corner formed by the intersection of the northerly side of East 172nd Street (60 feet wide) with the westerly side of Bronx River Avenue (100 feet wide), as depicted on Bronx Record Map Section 38, as amended and corrected on 1/20/1947, last revised on 8/8/2001, and recorded at the Topographic Bureau of the Bronx Borough President's Office, running thence the following two courses and distances:

1. Along the northerly side of East 172nd Street, and crossing Bronx Tax Block 3861, Lot 8, as depicted to National Railroad Passenger Corporation (Amtrak), North 65° 38' 24" West, a distance of 242.23 feet to a point, said point being the southeast corner of Bronx Tax Block 3861, Lot 14, as shown on the current Tax Map of the City of New York, Borough and County of the Bronx, thence;

2. Along the line common between said Lot 8 and said Lot 14, North 30° 54' 49" East, a distance of 62.89 feet to the Point or Place of Beginning, having coordinates N: 242,364.708, E: 1,016,759.093, and running thence;

Leaving said common line, crossing said Lot 14, North 59° 05' 51" West, a distance of 23.66 feet to a point, thence;

Continuing across said Lot 14, North 10° 27' 28" West, a distance of 16.51 feet to a point, thence;

Continuing across said Lot 14, along an arc of a curve bearing to the left, having a radius of 114.00 feet, an arc length of 58.17 feet, an internal angle of 29° 14' 05", a chord bearing of North 58° 49' 28" East, and a distance of 57.54 feet to a point, thence;

Continuing across said Lot 14, South 59° 05' 14" East, a distance of 7.65 feet to a point, said point being on the common line between said Lot 14 and said Lot 8, thence;

Continuing along said common line, South 30° 54' 52" West, a distance of 63.23 feet to the Point or Place of Beginning and containing 1,292 square feet (0.030 Ac.) more or less.

§ 4. This act shall take effect immediately.