§ 476. Definitions. As used or referred to in this article, unless a different meaning clearly appears from the context:

1. "Board" or "board of education" shall mean the board of education of the city of Yonkers.

2. "Bonds" and "notes" shall mean bonds and notes respectively, issued by the fund pursuant to this article.

3. "City" shall mean the city of Yonkers.

4. "City agency" shall mean any officer, administration, department, board, commission, bureau, division, agency or instrumentality of the city of Yonkers.

5. "Combined occupancy structure" shall mean any improvement on real property or any interests therein or thereto, including fee interests, easements, space rights or air rights, containing school accommodations or other facilities of the board of education of the city of Yonkers in combination with other compatible and lawful non-school uses designed and intended to increase, from both a planning and an economic viewpoint, the efficient utilization of available land areas. A combined occupancy structure shall also include a structure in a project or development under the auspices of the fund wherein non-school portions of structures placed upon the overall site are not built in space rights over the school portion, so long as some part of the non-school portion is constructed over the school.

6. "Commissioner of education" shall mean the commissioner of education of the state of New York.

7. "Corporation counsel" shall mean the corporation counsel of the city of Yonkers.

8. "Developer" shall mean and include any private individual, partnership, trust or private or public corporation approved by the board of education as being qualified and eligible to enter into one or

more leases, subleases or other agreements with the fund providing for the construction, acquisition, reconstruction, rehabilitation or improvement of one or more combined occupancy structures; which agreements shall be subject to approval by the board of education.

9. "Commissioner of finance" shall mean the commissioner of finance of the city of Yonkers.

10. "Fund" shall mean the corporate governmental agency created by section four hundred seventy-seven of this article.

11. "Governor" shall mean the governor of the state of New York.

12. "Letting agency" shall mean and include the board of education or any other city agency which by agreement with the fund is to award the contracts for a particular construction, reconstruction, rehabilitation or improvement; or the fund itself, if it is to award such contracts.

13. "Mayor" shall mean the mayor of the city of Yonkers.

14. "Owner" shall mean and include any private individual, partnership, trust or private or public corporation, taking possession of the non-school portion of a combined occupancy structure pursuant to a lease, sub-lease, conveyance or other agreement, or acquiring fee title to or a leasehold or other interest in such non-school portion.

15. "Planning commission" shall mean the planning commission of the city of Yonkers.

16. "Real property" shall mean lands, waters, rights in lands or waters, structures, franchises and interests in land, including air or space rights, and any and all other things and rights usually included within the same term and includes also any and all interests in such property less than full title, such as easements permanent or temporary, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments in every estate, interest or right, legal or equitable.

17. "School building" shall mean a separate structure entirely devoted to use and occupancy for public school purposes; including incidental and appurtenant recreational and other facilities.

18. "School portion" or "school portion of combined occupancy structure" shall mean that portion of a combined occupancy structure designed, constructed, reconstructed, rehabilitated or improved for use and occupancy for public school purposes; including incidental and appurtenant recreational and other facilities.

19. "State" shall mean the state of New York.