

STATE OF NEW YORK

2513

2011-2012 Regular Sessions

IN SENATE

January 24, 2011

Introduced by Sen. GIANARIS -- 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 use of and convey certain park land

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, the city of New York
2 is authorized to discontinue use as park land and to convey, in fee
3 simple, the land described in section three of this act. Such land is
4 authorized to be conveyed to the Saint Michael's Cemetery upon such
5 terms and conditions as the city council of the city of New York shall
6 determine to be fair and reasonable.

7 § 2. The authorization provided in section one of this act shall be
8 subject to the requirement that the city of New York shall use any
9 proceeds and/or land received in exchange for the conveyance authorized
10 by this act to acquire land, to be dedicated for park purposes, in an
11 amount equal to or greater than the fair market value of the land being
12 conveyed pursuant to this act and/or used for capital improvements to
13 existing park and recreational facilities.

14 § 3. The land authorized to be discontinued as park land and conveyed
15 is as follows:

16 ALL that certain plot, piece or parcel of land, lying and being in the
17 Borough and County of Queens, City and State of New York, bounded and
18 described as follows:

19 BEGINNING at the corner formed by the intersection of the westerly
20 side of Brooklyn-Queens Expressway East (Service Road), also known as
21 Boody Street, with the northerly side of 30th Avenue, formerly known as
22 Grand Avenue (80 feet wide);

23 RUNNING THENCE along the northerly side of 30th Avenue, South 53
24 degrees 05 minutes 15 seconds West, 57.40 feet;

25 THENCE North 1 degree 15 minutes 59.9 seconds West, 1635.52 feet;

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

LBD05778-01-1

S. 2513

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1 THENCE South 88 degrees 20 minutes 01.5 second East, 142.31 feet;
2 THENCE North 19 degrees 17 minutes 37 seconds East, 31.30 feet;
3 THENCE North 4 degrees 20 minutes 15 seconds West, 206.73 feet;
4 THENCE North 8 degrees 45 minutes 15 seconds West, 25.00 feet;
5 THENCE North 11 degrees 45 minutes 55 seconds West, 363.31 feet;
6 THENCE North 11 degrees 05 minutes 28.4 seconds West, 301.87 feet to
7 the southerly side of Grand Central Parkway (Service Road), also known
8 as Astoria Boulevard;
9 THENCE along the southerly side of Grand Central Parkway (Service
10 Road), also known as Astoria Boulevard, North 73 degrees 53 minutes 24.9
11 seconds East, 15.99 feet to the extreme northwesterly end of the arc of
12 a curve which connects the southerly side of Grand Central Parkway
13 (Service Road), also known as Astoria Boulevard with the westerly side
14 of Brooklyn-Queens Expressway East (Service Road), also known as Boody
15 Street;
16 THENCE southeasterly along the westerly side of Brooklyn-Queens
17 Expressway East (Service Road), also known as Boody Street and along the
18 last mentioned arc of a curve, bearing to the right having a radius of
19 30.00 feet, a distance of 22.63 feet;
20 THENCE continuing along the westerly side of Brooklyn-Queens Express-
21 way East (Service Road), also known as Boody Street, the following eight
22 (8) courses and distances:
23 1) South 14 degrees 41 minutes 57.9 seconds East, 556.50 feet;
24 2) southerly along the arc of a curve bearing to the right having a
25 radius of 569.64 feet, a distance of 337.96 feet;
26 3) South 19 degrees 17 minutes 37 seconds West, 93.40 feet;
27 4) southerly along the arc of a curve bearing to the left having a
28 radius of 816.10 feet, a distance of 275.78 feet;
29 5) South 0 degrees 04 minutes 05.3 seconds East, 335.50 feet;
30 6) southerly along the arc of a curve bearing to the right having a
31 radius of 630.99 feet, a distance of 105.76 feet;
32 7) southerly along the arc of a curve bearing to the left having a
33 radius of 500.00 feet, a distance of 94.51 feet;
34 8) South 1 degree 17 minutes 43.9 seconds East, 730.91 feet to the
35 northerly side of 30th Avenue, at the point or place of BEGINNING.
36 Consisting of 3.77 acres ±.
37 § 4. If the parkland that is the subject of this act has received
38 funding pursuant to the federal land and water conservation fund, the
39 discontinuance of parkland authorized by the provisions of this act
40 shall not occur until the municipality has complied with the federal
41 requirements pertaining to the conversion of parklands, including satis-
42 fying the secretary of the interior that the discontinuance will include
43 all conditions which the secretary of the interior deems necessary to
44 assure the substitution of other lands shall be equivalent in fair
45 market value and recreational usefulness to the lands being discontin-
46 ued.
47 § 5. This act shall take effect immediately.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S2513

SPONSOR: GIANARIS

TITLE OF BILL:

An act to authorize the city of New York to discontinue use of and convey certain park land

PURPOSE:

To authorize the city of New York to discontinue use of certain park land and convey it to the St. Michael's cemetery.

SUMMARY OF PROVISIONS:

Section 1. Authorizes the city of New York to discontinue use as park land and to convey, in fee simple, the land described in section three of this act to Saint Michael's Cemetery.

Section 2. Provides that the authorization of this act shall be subject to the requirement that the city of New York shall use any proceeds and/or land received in exchange for the conveyance authorized by this act to acquire land, to be dedicated for park purposes in an amount equal to or greater than the fair market value of the land being conveyed.

Section 3. Describes the land authorized to be discontinued as park land and conveyed as the property bounded by Astoria Boulevard to the north, 30th Avenue to the south, the Brooklyn-Queens Expressway to the east, and St, Michael's Cemetery to the west, in the Astoria section of Queens, City and State of New York. The property consists of a 3.77 acre highly irregularly shaped parcel of vacant land know as St. Michael's Park.

JUSTIFICATION:

This legislation would allow St. Michael's Cemetery, located in Astoria, Queens to acquire a small strip of park land that is underutilized and in disrepair located adjacent to the cemetery.

St. Michael's Cemetery has agreed to transfer a replacement parcel of land to the City of New York in order to replace the park land acquired and ensure that the western Queens community does not lose valuable green space.

PRIOR LEGISLATIVE HISTORY:

None.

FISCAL IMPLICATIONS:

To be determined.

EFFECTIVE DATE:

This act shall take effect immediately.

STATE OF NEW YORK

4874

2011-2012 Regular Sessions

IN ASSEMBLY

February 8, 2011

Introduced by M. of A. SIMOTAS -- read once and referred to the Committee on Cities

AN ACT to authorize the city of New York to discontinue use of and convey certain park land

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

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3 simple, the land described in section three of this act. Such land is
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LBD05778-01-1

A. 4874

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42 fying the secretary of the interior that the discontinuance will include
43 all conditions which the secretary of the interior deems necessary to
44 assure the substitution of other lands shall be equivalent in fair
45 market value and recreational usefulness to the lands being discontin-
46 ued.
47 § 5. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A4874

SPONSOR: Simotas

TITLE OF BILL: An act to authorize the city of New York to discontinue use of and convey certain park land

PURPOSE: To authorize the city of New York to discontinue use of certain park land and convey it to the St. Michael's cemetery.

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PRIOR LEGISLATIVE HISTORY: 2009-10: A4317-B - 06/07/10 print number 4317b

FISCAL IMPLICATIONS: To be determined.

EFFECTIVE DATE: This act shall take effect immediately.