

STATE OF NEW YORK

5501

2011-2012 Regular Sessions

IN SENATE

May 26, 2011

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

AN ACT to authorize the city of New York to transfer ownership of certain parklands to Alexander's of Rego Park III, Inc.

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
2 York, acting by and through the commissioner of parks and recreation of
3 such city, is authorized to discontinue the use as parkland the land
4 described in section three of this act and to transfer such land to
5 Alexander's of Rego Park III, Inc. in exchange for certain parcels of
6 land, described in section four of this act, that are contiguous to Lost
7 Battalion Hill park in the borough of Queens. Such exchange shall be
8 made upon such terms and conditions as shall be agreed upon between the
9 parties.

10 § 2. The authorization provided in section one of this act shall be
11 conditioned on the city of New York dedicating as parkland the parcels
12 of land, described in section four of this act, acquired from
13 Alexander's of Rego Park III, Inc. In the event that the fair market
14 value of the land acquired from Alexander's of Rego Park III, Inc. and
15 dedicated as parkland is not equal to or greater than the fair market
16 value of the discontinued parkland, the city of New York shall dedicate
17 the difference between the fair market value of the discontinued park-
18 land and the fair market value of the dedicated parkland for the acqui-
19 sition of additional parkland and/or for capital improvements to exist-
20 ing park and recreational facilities within the borough of Queens.

21 § 3. The land to be discontinued as parkland and transferred to
22 Alexander's of Rego Park III, Inc. is a part of Block 2077 Lot 50 & Bed
23 of former 62nd Avenue in the borough of Queens more particularly
24 described as follows:

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

LBD11729-01-1

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1 ALL that certain plot, piece or parcel of land situate, lying and
2 being in the Borough and County of Queens, City and State of New York,
3 bounded and described as follows:

4 BEGINNING at a point the following two courses and distances from the
5 corner formed by the intersection of the northeasterly side of 93rd
6 Street (50 feet wide) with the southerly side of Horace Harding Express-
7 way (Irregular width);

8 1. THENCE southeasterly, along the northeasterly side of 93rd Street,
9 282.12 feet to a point;

10 2. THENCE easterly, along a line forming an angle of 59 degrees 20
11 minutes 47 seconds on the southeast with the northeasterly side of 93rd
12 street, 102.20 feet to the centerline of former 62nd Avenue, the point
13 or place of BEGINNING.

14 RUNNING THENCE northeasterly, along the centerline of former 62nd
15 Avenue and along a line forming an angle of 146 degrees 17 minutes 17
16 seconds on the northwest with the last mentioned course, 168.58 feet to
17 a point;

18 RUNNING THENCE southeasterly, along a line forming an angle of 118
19 degrees 08 minutes 39 seconds on the southeast with the last mentioned
20 course, 28.35 feet to a point;

21 RUNNING THENCE northeasterly, along a line forming an angle of 241
22 degrees 51 minutes 21 seconds on the southeast with the last mentioned
23 course, 112.86 feet to a point;

24 RUNNING THENCE southerly, along a line forming an angle of 53 degrees
25 29 minutes 07 seconds on the southwest with the last mentioned course,
26 71.46 feet to a point;

27 RUNNING THENCE southerly, along a line forming an angle of 191 degrees
28 15 minutes 11 seconds on the southwest with the last mentioned course,
29 29.32 feet to a point;

30 RUNNING THENCE southerly, along a line forming an angle of 174 degrees
31 05 minutes 52 seconds on the southwest with the last mentioned course,
32 34.19 feet to a point;

33 RUNNING THENCE southwesterly, along a line forming an angle of 132
34 degrees 21 minutes 38 seconds on the southwest with the last mentioned
35 course, 11.76 feet to a point;

36 RUNNING THENCE westerly, along a line forming an angle of 135 degrees
37 05 minutes 29 seconds on the northwest with the last mentioned course,
38 253.12 feet to the point or place of BEGINNING.

39 Said parcel containing approximately .438 acre more or less.

40 § 4. The land to be acquired by the city of New York from Alexander's
41 of Rego Park III, Inc. and dedicated as parkland is two parcels of land
42 in the borough of Queens as follows:

43 Parcel 1

44 A part of Block 2076 Lot 50 & Bed of former 62nd Avenue, more partic-
45 ularly described as follows:

46 ALL that certain plot, piece or parcel of land situate, lying and
47 being in the Borough and County of Queens, City and State of New York,
48 bounded and described as follows:

49 BEGINNING at a point on the northeasterly side of 93rd Street (50 feet
50 wide) distant 282.12 feet southeasterly from the corner formed by the
51 intersection of the northeasterly side of 93rd Street with the southerly
52 side of Horace Harding Expressway (Irregular width);

53 RUNNING THENCE easterly, along a line forming an angle of 59 degrees
54 20 minutes 47 seconds on the southeast with the northeasterly side of
55 93rd Street, 102.20 feet to the centerline of former 62nd Avenue;

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1 RUNNING THENCE southwesterly, along the centerline of former 62nd
2 Avenue and along a line forming an angle of 33 degrees 42 minutes 43
3 seconds on the southwest with the last mentioned course, 88.04 feet to
4 the northeasterly side of 93rd Street;

5 RUNNING THENCE northwesterly, along the northeasterly side of 93rd
6 Street, 56.80 feet to the point or place of BEGINNING.

7 Said parcel containing approximately .057 acre more or less.

8 Parcel 2

9 A part of Block 2077 Lot 98, more particularly described as follows:

10 All that certain plot, piece or parcel of land situate, lying and
11 being in the Borough and County of Queens, City and State of New York,
12 bounded and described as follows:

13 Beginning at a point on the westerly side of Junction Boulevard (80
14 feet wide) distant 277.74 feet southerly from the corner formed by the
15 intersection of the westerly side of Junction Boulevard with the south-
16 erly side of Horace Harding Expressway (Irregular width);

17 RUNNING THENCE westerly, at right angles to the westerly side of Junc-
18 tion Boulevard, 112.11 feet to a point;

19 RUNNING THENCE southwesterly, along a line forming an angle of 135
20 degrees 05 minutes 29 seconds on the southeast with the last mentioned
21 course, 173.33 feet to a point;

22 RUNNING THENCE northeasterly, along a line forming an angle of 09
23 degrees 40 minutes 26 seconds on the northeast with the last mentioned
24 course, 36.52 feet to a point;

25 RUNNING THENCE easterly, at right angles to the westerly side of Junc-
26 tion Boulevard, 205.04 feet to the westerly side of Junction Boulevard;

27 RUNNING THENCE northerly, along the westerly side of Junction Boule-
28 vard, 101.30 feet to the point or place of BEGINNING.

29 Said parcel containing approximately .381 acre more or less.

30 § 5. If the parkland that is the subject of this act has received
31 funding pursuant to the federal land and water conservation fund, the
32 discontinuance of parkland authorized by the provisions of this act
33 shall not occur until the city of New York has complied with the federal
34 requirements pertaining to the conversion of parklands, including satis-
35 fying the secretary of the interior that the discontinuance will include
36 all conditions which the secretary of the interior deems necessary to
37 assure the substitution of other lands shall be equivalent in fair
38 market value and recreational usefulness to the lands being discontin-
39 ued.

40 § 6. 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: S5501

SPONSOR: STAVISKY

TITLE OF BILL:

An act to authorize the city of New York to transfer ownership of certain parklands to Alexander's of Rego Park III, Inc.

PURPOSE OR GENERAL IDEA OF BILL:

This bill will authorize the city of New York to exchange a small parcel of city-owned parkland that is a part of Lost Battalion Hall Park in the borough of Queens for an equal amount of privately owned land contiguous to the park. The bill requires that the parcels acquired by the city in such exchange be dedicated as parkland.

SPECIFIC PROVISIONS:

The bill delineates all boundaries, survey specifications, intersections, and roadways affected.

JUSTIFICATION:

This alienation is related to a proposed mixed-use development by Alexander's of Rego Park III, Inc. on a parcel of land generally bounded by the Long Island Expressway Service Road, Junction Boulevard, and 931'd Street; and Lost Battalion Hall Park to the south. It would allow the city to alienate a portion of parkland. In exchange, the city would acquire two adjacent triangular parcels, to be mapped as parkland, that are equal in size to the area to be alienated.

This land swap would result in a better site plan for Lost Battalion Hall Park by the Department of Parks and Recreation and a more useful and efficient development site for Alexander's of Rego Park III. Lost Battalion Hall Park would be reconfigured to a more regularized park by creating a straight line forming its northern boundary perpendicular to Junction Boulevard and would increase its frontage along Junction Boulevard. The newly reconfigured park would enable better programming and provide improved pedestrian access off Junction Boulevard for park users. Further, Alexander's of Rego Park III has agreed to undertake or fund improvements to the reconfigured park as per the specifications of the city.

FISCAL IMPLICATIONS:

None to the state.

EFFECTIVE DATE:

Immediately.

STATE OF NEW YORK

7938

2011-2012 Regular Sessions

IN ASSEMBLY

May 25, 2011

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

AN ACT to authorize the city of New York to transfer ownership of certain parklands to Alexander's of Rego Park III, Inc.

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
2 York, acting by and through the commissioner of parks and recreation of
3 such city, is authorized to discontinue the use as parkland the land
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6 land, described in section four of this act, that are contiguous to Lost
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36 all conditions which the secretary of the interior deems necessary to
37 assure the substitution of other lands shall be equivalent in fair
38 market value and recreational usefulness to the lands being discontin-
39 ued.

40 § 6. 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: A7938

SPONSOR: Aubry

TITLE OF BILL: An act to authorize the city of New York to transfer ownership of certain parklands to Alexander's of Rego Park III, Inc.

SUMMARY OF PROVISIONS: This bill would authorize the city of New York to exchange a small parcel of city-owned parkland that is a part of Lost Battalion Hall Park in the borough of Queens for an equal amount of privately owned land contiguous to such park. The bill requires that the parcels acquired by the city in such exchange be dedicated as parkland.

REASONS FOR SUPPORT: This alienation is related to a proposed mixed-use development by Alexander's of Rego Park III, Inc. on a parcel of land generally bounded by the Long Island Expressway Service Road, Junction Boulevard, and 93rd Street; and Lost Battalion Hall Park to the south. It would allow the City to alienate a portion of parkland; in exchange, the City would acquire two adjacent triangular parcels, to be mapped as parkland, that are equal in size to the area to be alienated.

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Accordingly, the Mayor urges the earliest possible favorable consideration of this proposal by the Legislature.

