

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:

1 Section 1. Section 1 of chapter 544 of the laws of 2022, authorizing
2 the city of New York to discontinue a portion of real property in the
3 county of the Bronx as parkland and to grant easements for improvements
4 to the railroad right-of-way to bring Metro-North railroad service to
5 four new stations in the Bronx and to Pennsylvania Station in the county
6 of New York, as amended by chapter 231 of the laws of 2023, is amended
7 to read as follows:

8 Section 1. Subject to the provisions of this act, but notwithstanding
9 any provision of law to the contrary, the city of New York is hereby
10 authorized to discontinue the use as parklands the lands described in
11 sections three [~~and~~], three-a and three-b of this act and to grant ease-
12 ments affecting such lands to the metropolitan transportation authority,
13 upon such terms and conditions as the city of New York shall determine,
14 to enable the metropolitan transportation authority and Metro-North
15 commuter railroad company, a subsidiary of the metropolitan transporta-
16 tion authority, to construct improvements and gain ingress and egress to
17 and from railroad equipment, stations and right-of-way on such former
18 parkland, in order to bring Metro-North commuter railroad company
19 service to four new stations in the Bronx and to Pennsylvania Station in
20 the county of New York in connection with the capital project known as
21 Penn Station Access.

22 § 2. Section 4 of chapter 544 of the laws of 2022, authorizing the
23 city of New York to discontinue a portion of real property in the county
24 of the Bronx as parkland and to grant easements for improvements to the
25 railroad right-of-way to bring Metro-North railroad service to four new
26 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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1 York, as amended by chapter 231 of the laws of 2023, is amended to read
2 as follows:

3 § 4. In the event that the city of New York received any funding,
4 support or assistance from the federal government for the purchase,
5 maintenance or improvement of the parklands set forth in sections three
6 [~~and~~], three-a and three-b of this act, the discontinuance and alien-
7 ation of such parkland authorized by the provisions of this act shall
8 not occur until the city of New York has complied with any federal
9 requirements pertaining to the alienation or conversion of such park-
10 lands, including satisfying the secretary of the interior that the
11 alienation or conversion complies with all conditions which the secre-
12 tary of the interior deems necessary to assure the substitution of other
13 lands shall be equivalent in fair market value and recreational useful-
14 ness to the lands being alienated or converted.

15 § 3. Chapter 544 of the laws of 2022, authorizing the city of New York
16 to discontinue a portion of real property in the county of the Bronx as
17 parkland and to grant easements for improvements to the railroad right-
18 of-way to bring Metro-North railroad service to four new stations in the
19 Bronx and to Pennsylvania Station in the county of New York, is amended
20 by adding a new section 3-b to read as follows:

21 § 3-b. The lands hereby authorized to be discontinued as parklands and
22 for which easements may be granted to the metropolitan transportation
23 authority are located in the county of the Bronx, city and state of New
24 York, and are bounded and described as follows:

25 Easement 9 on BLOCK 3861, PART OF LOT 14: ALL THAT CERTAIN LOT, PIECE
26 OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX,
27 COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS
28 FOLLOWS:

29 AREA (ACCESS EASEMENT OVER AN EXISTING PATH) HORIZONTAL LIMITS
30 Commencing at the corner formed by the intersection of the northerly
31 side of East 172nd Street (60 feet wide) with the westerly side of Bronx
32 River Avenue (100 feet wide), as depicted on Bronx Record Map Section
33 38, as amended and corrected on 1/20/1947, last revised on 8/8/2001, and
34 recorded at the Topographic Bureau of the Bronx Borough President's
35 Office, running thence the following four courses and distances:

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

42 2. Along the line common between said Lot 8R, and said Lot 14, North
43 30°54'49" East, a distance of 62.89 feet to a point, thence;

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

46 4. Continuing across said Lot 14, North 10°27'28" West, a distance of
47 16.51 feet to the Point or Place of Beginning, having coordinates N:
48 242,393.095, E: 1,016,735.795, and running thence;

49 Continuing across said Lot 14, North 10°27'23" West, a distance of
50 19.39 feet to a point, thence;

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

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

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

3 Continuing across said Lot 14, North 29°00'40" East, a distance of
4 96.68 feet to a point, thence;

5 Continuing across said Lot 14, South 59°05'11" East, a distance of
6 24.97 feet to a point, said point being on the common line between said
7 Lot 14 and said Lot 8R, thence;

8 Continuing along said common line, South 30°54'50" West, a distance of
9 120.82 feet to a point, thence; Leaving said common line, crossing said
10 Lot 14, North 59°05'14" West, a distance of 7.65 feet to a point,
11 thence;

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

17 Easement 10 on BLOCK 3861, PART OF LOT 14: ALL THAT CERTAIN LOT, PIECE
18 OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE BOROUGH OF THE BRONX,
19 COUNTY OF BRONX, CITY, AND STATE OF NEW YORK BOUNDED AND DESCRIBED AS
20 FOLLOWS:

21 AREA (PERMANENT EASEMENT FOR SERVICE VEHICLE PARKING) HORIZONTAL
22 LIMITS

23 Commencing at the corner formed by the intersection of the northerly
24 side of East 172nd Street (60 feet wide) with the westerly side of Bronx
25 River Avenue (100 feet wide), as depicted on Bronx Record Map Section
26 38, as amended and corrected on 1/20/1947, last revised on 8/8/2001, and
27 recorded at the Topographic Bureau of the Bronx Borough President's
28 Office, running thence the following two courses and distances:

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

35 2. Along the line common between said Lot 8 and said Lot 14, North 30°
36 54' 49" East, a distance of 62.89 feet to the Point or Place of Begin-
37 ning, having coordinates N: 242,364.708, E: 1,016,759.093, and running
38 thence;

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

41 Continuing across said Lot 14, North 10° 27' 28" West, a distance of
42 16.51 feet to a point, thence;

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

47 Continuing across said Lot 14, South 59° 05' 14" East, a distance of
48 7.65 feet to a point, said point being on the common line between said
49 Lot 14 and said Lot 8, thence;

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

53 § 4. This act shall take effect immediately.