

ACT NO. – 2024

AN ACT authorizing the County of Westchester to convey to the City of Yonkers County property located at 1 Fernbrook Street, Yonkers, New York, to be used for park and recreational purposes.

BE IT RESOLVED by the County Board of the County of Westchester as follows:

Section 1. The County of Westchester (“County”) is hereby authorized to sell to the City of Yonkers (“City”) for \$1.00 property located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the “County Property”), which is adjacent to (more particularly located on the north side of) the County’s Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility (“Facility”) for park and recreational purposes. Those improvements shall include, but are not limited to, the installation of a parking lot and three (3) electric vehicle (“EV”) charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

§2. The County shall retain a permanent easement over the County Property for any purpose whatsoever related to the operation of the Facility and the steel bulkhead along the Hudson River (“County Bulkhead”), including, but not limited to, inspecting, installing and operating the County Bulkhead, new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire

hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights.

§3. The City shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads, other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, replace the existing railroad tie bulkheads with new bulkheads to be designed at the discretion of the City engineer and shall meet current design and use standards.

§4. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§6. This Act shall take effect immediately.