

S. 7617

A. 10586

S E N A T E - A S S E M B L Y

June 7, 2012

IN SENATE -- Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. Millman) -- read once and referred to the Committee on Cities

AN ACT authorizing and validating the alienation of certain parkland known as Empire Fulton Ferry state park in accordance with letters patent dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development Corporation and master ground lease agreement dated as of July 29, 2010 for a term of 99 years to the Brooklyn Bridge Park Corporation providing for the use of such land as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Notwithstanding any other provision of law to the contrary,
2 but subject to this act, the alienation and conveyance of the park land
3 described in section six of this act, formerly known as Empire Fulton
4 Ferry state park, in accordance with the terms and conditions of letters
5 patent dated July 8, 2010 from the office of general services to the
6 Brooklyn Bridge Park Development Corporation (BBPDC) and master ground
7 lease agreement dated as of July 29, 2010 for a term of 99 years between
8 the BBPDC and the Brooklyn Bridge Park Corporation (BBPC) and all acts
9 of the office of parks, recreation and historic preservation, the office
10 of general services, the New York State Urban Development Corporation,
11 BBPDC and BBPC in relation thereto are hereby authorized and validated,
12 notwithstanding the absence of prior legislative approval to the extent
13 required.

14 S 2. Subject to the provisions of this act, the Brooklyn Bridge Park
15 Development Corporation and/or the Brooklyn Bridge Park Corporation is
16 authorized to alienate and discontinue the park land described as Parcel
17 B in section six of this act and Parcel B may be improved, constructed,
18 reconstructed, used, leased, or otherwise transferred for such purposes
19 as are consistent with the Brooklyn Civic and Land Use Improvement

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

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1 Project General Project Plan, as such Plan may be modified in accordance
2 with the requirements of such Plan. Provided that the lands described in
3 section six of this act as Parcel A shall be used only for park and
4 recreation purposes as a part of the Brooklyn Bridge Park.

5 S 3. The authorization provided in section two of this act shall be
6 subject to the requirement that the city of New York dedicate the land
7 described in section seven of this act as park land. In the event the
8 lands described in section seven of this act are not equal to or greater
9 than the fair market value of the lands being alienated by this act, the
10 city of New York shall dedicate the difference between the fair market
11 value of the lands being alienated by this act and the replacement lands
12 towards the acquisition of additional park land and/or improvements to
13 existing park land in the borough of Brooklyn.

14 S 4. With respect to the lands described in section six of this act as
15 Parcel B, to which certain outdoor recreational restrictions currently
16 apply as a condition of funding under the federal land and water conser-
17 vation fund act, which funding was previously expended for outdoor
18 recreation improvements at the former Empire Fulton Ferry state park
19 property by the office of parks, recreation and historic preservation,
20 the discontinuance of Parcel B as park land as authorized by section two
21 of this act shall not occur until the National Park Service has approved
22 a conversion of such park land under such federal land and water conser-
23 vation fund act, including satisfying the National Park Service that the
24 conversion complies with all conditions that the National Park Service
25 deems necessary to assure the lands to be substituted shall be equiv-
26 alent in fair market value and usefulness to the lands being discontin-
27 ued as outdoor recreation land.

28 S 5. The lands described in section seven of this act shall be used
29 for park and recreation purposes as a part of the Brooklyn Bridge Park
30 within the time required by the National Park Service for the completion
31 of the conversion under the federal land and water conservation fund act
32 and at such time shall be deemed to be dedicated for park and recreation
33 purposes without further action.

34 S 6. The existing park land subject to the provisions of this act
35 consists of Parcels A and B as described below. The land authorized by
36 this act to be alienated and discontinued as park land consists of
37 Parcel B as described below.

38 Parcel A

39 ALL those certain plots, pieces or parcels of land with the buildings
40 and improvements thereon erected, situate, lying and being in the
41 Borough of Brooklyn, County of Kings, City and State of New York, bound-
42 ed and described as follows:

43 Beginning at a point on the easterly side of New Dock Street, being
44 208 feet 6 inches northerly from the corner formed by the intersection
45 of the northerly side of Water Street with the easterly side of New Dock
46 Street; running thence easterly along the northerly side of a two story
47 brick building and continuing to and along the northerly side of a four
48 story brick building and a five story brick building a total distance of
49 692 feet 5 1/4 inches to a point on the westerly side of Main Street
50 which is distant 190 feet 2 inches northerly from the corner formed by
51 the intersection of the northerly side of Water Street with the westerly
52 side of Main Street, as measured along the westerly side of Main Street;
53 thence northerly along the westerly side of Main Street and the westerly
54 side of Main Street if extended to the East River, 478 feet 8-3/4 inches
55 to the pierhead line of the East River, established in 1857; thence
56 southwesterly along the said pierhead line, 825 feet 2-3/8 inches to the

1 easterly side of New Dock Street; thence southerly along the easterly
2 side of New Dock Street, 260 feet 9 3/4 inches to the corner, at the
3 point or place of beginning; comprising approximately 6.408 acres.

4 Parcel B

5 ALL those certain plots, pieces or parcels of land with the buildings
6 and improvements thereon erected, situate, lying and being in the
7 Borough of Brooklyn, County of Kings, City and State of New York, bound-
8 ed and described as follows:

9 Beginning at a point on the easterly side of New Dock Street, being
10 208 feet 6 inches northerly from the corner formed by the intersection
11 of the northerly side of Water Street with the easterly side of New Dock
12 Street; running thence easterly along the northerly side of a two story
13 brick building and continuing to and along the northerly side of a four
14 story brick building and a five story brick building a total distance of
15 692 feet 5 1/4 inches to a point on the westerly side of Main Street
16 which is distant 190 feet 2 inches northerly from the corner formed by
17 the intersection of the northerly side of Water Street with the westerly
18 side of Main Street, as measured along the westerly side of Main Street;
19 thence southerly along the westerly side of said Main Street 129 feet 11
20 inches to a point thereon which is distant 60 feet 3 inches northerly
21 from the corner formed by the intersection of the northerly side of
22 Water Street with the westerly side of Main Street; thence westerly on a
23 line forming an interior angle of 89 degrees 36 minutes 40 seconds with
24 the westerly side of Main Street, 88 feet; thence southerly parallel
25 with the westerly side of Main Street, 10 feet; thence westerly parallel
26 with the northerly side of Water Street, 24 feet 8 inches; thence south-
27 erly on a line forming an interior angle of 89 degrees 32 minutes 30
28 seconds with the northerly side of Water Street, 50 feet to the norther-
29 ly side of Water Street; thence westerly along the northerly side of
30 Water Street 487 feet to the intersection of the northerly side of Water
31 Street with the easterly side of New Dock Street; thence northerly along
32 the easterly side of New Dock Street 208 feet 6 inches to the point or
33 place of beginning; comprising approximately 2.651 acres.

34 S 7. The replacement land required by this act to be added to the
35 Brooklyn Bridge Park and used only for park and recreation purposes is
36 described as follows:

37 Parcel 1 (Lot 21, Block 7)

38 ALL that certain plat, piece or parcel of land with buildings and
39 improvements thereon, erected, situate, lying and being in the Borough
40 of Brooklyn, County of Kings, City and State of New York, more partic-
41 ularly bounded and described as follows:

42 Beginning at a point where the northerly line of Plymouth Street, 40
43 foot wide, intersects the easterly line of Washington Street, 60 foot
44 wide; and from said beginning point running, thence along said easterly
45 line of Washington Street and a portion of Lot 1, Block 7, now or
46 formerly reputed owner the City of New York, north 02 degrees - 37
47 minutes - 18 seconds east, a distance of 213.24 feet to a point; thence
48 along the dividing line between Lot 21 and Lot 1, Block 7, south 23
49 degrees - 00 minutes - 05 seconds east, a distance of 236.45 feet to a
50 point on the aforementioned northerly line of Plymouth Street; thence
51 along said northerly line, north 87 degrees - 24 minutes - 17 seconds
52 west, a distance of 102.25 feet to the point and place of beginning;
53 comprising approximately 0.250 acres.

54 Parcel 2 (Portion of Washington Street)

55 All that certain plat, piece or parcel of land with buildings and
56 improvements thereon, erected, situate, lying and being in the Borough

1 of Brooklyn, County of Kings, City and State of New York, more partic-
2 ularly bounded and described as follows:

3 Beginning at a point where the easterly line of Washington Street, 60
4 foot wide, intersects the northerly line of Plymouth Street, 40 foot
5 wide; and from said beginning point running, thence along said northerly
6 line of Plymouth Street, north 87 degrees - 24 minutes - 17 seconds
7 west, a distance of 60.00 feet to a point; thence along the westerly
8 line of Washington Street, north 02 degrees - 37 minutes - 18 seconds
9 east, a distance of 200.00 feet to a point; thence along the northerly
10 terminus of Washington street, south 87 degrees - 24 minutes - 17
11 seconds east, a distance of 60.00 feet to a point; thence along the
12 aforementioned easterly line of Washington Street, south 02 degrees - 37
13 minutes - 18 seconds west, a distance of 200.00 feet to the point and
14 place of beginning; comprising approximately 0.275 acres.

15 Parcel 3 (portion of Lot 1, Block 7)

16 ALL that certain plat, piece or parcel of land with buildings and
17 improvements thereon, erected, situate, lying and being in the Borough
18 of Brooklyn, County of Kings, City and State of New York, more partic-
19 ularly bounded and described as follows:

20 Beginning at a point on the northerly line of Plymouth Street, 40 foot
21 wide, said point being south 87 degrees - 24 minutes - 17 seconds east,
22 a distance of 102.25 feet as measured along said northerly line of
23 Plymouth Street from its intersection with the easterly line of Washing-
24 ton Street, 60 foot wide; and from said beginning point running, thence
25 along the dividing line between Lot 1 and Lot 21, Block 7, north 23
26 degrees - 00 minutes - 05 seconds west, a distance of 126.21 feet to a
27 point; thence the following six (6) courses through the bounds of Lot 1,
28 Block 7, now or formerly reputed owner the City of New York:

29 Along the existing northerly line of a one story masonry building and
30 the northerly face of concrete wall, north 66 degrees - 50 minutes - 39
31 seconds east, a distance of 96.97 feet to a point; thence continuing
32 along the northerly face of said concrete wall, north 71 degrees - 04
33 minutes - 57 seconds east, a distance of 20.79 feet to a point of curva-
34 ture; thence continuing along the northerly and easterly face of said
35 concrete wall, along a curve to the right, having a radius of 8.73 feet,
36 turning a central angle of 65 degrees - 00 minutes - 10 seconds, an arc
37 length of 9.91 feet, the chord of which bears south 73 degrees - 21
38 minutes - 49 seconds east, a chord distance of 9.39 feet to a point of
39 compound curvature; thence continuing along the easterly face of said
40 concrete wall, along a curve to the right, having a radius of 50.50
41 feet, turning a central angle of 33 degrees - 25 minutes - 11 seconds,
42 an arc length of 29.46 feet, the chord of which bears south 24 degrees -
43 09 minutes - 09 seconds east, a chord distance of 29.04 feet to a point
44 of tangency; thence continuing along the same, south 03 degrees - 57
45 minutes - 58 seconds east, a distance of 25.10 feet to a point; thence
46 continuing along the same, south 02 degrees - 36 minutes - 21 seconds
47 west, a distance of 110.43 feet to a point on the aforementioned north-
48 erly line of Plymouth Street; thence along said northerly line, north 87
49 degrees - 24 minutes - 17 seconds west, a distance of 77.18 feet to the
50 point and place of beginning; comprising approximately 0.358 acres.

51 S 8. This act shall take effect immediately.