S T A T E O F N E W Y O R K

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:

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

S 2. Subject to the provisions of this act, the Brooklyn Bridge Park Development Corporation and/or the Brooklyn Bridge Park Corporation is authorized to alienate and discontinue the park land described as Parcel B in section six of this act and Parcel B may be improved, constructed, reconstructed, used, leased, or otherwise transferred for such purposes 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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Project General Project Plan, as such Plan may be modified in accordance with the requirements of such Plan. Provided that the lands described in section six of this act as Parcel A shall be used only for park and recreation purposes as a part of the Brooklyn Bridge Park.

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

S 4. With respect to the lands described in section six of this act as Parcel B, to which certain outdoor recreational restrictions currently apply as a condition of funding under the federal land and water conservation fund act, which funding was previously expended for outdoor recreation improvements at the former Empire Fulton Ferry state park property by the office of parks, recreation and historic preservation, the discontinuance of Parcel B as park land as authorized by section two of this act shall not occur until the National Park Service has approved a conversion of such park land under such federal land and water conservation fund act, including satisfying the National Park Service that the conversion complies with all conditions that the National Park Service deems necessary to assure the lands to be substituted shall be equivalent in fair market value and usefulness to the lands being discontinued as outdoor recreation land.

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

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

Parcel A

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

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

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

Parcel B

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

Beginning at a point on the easterly side of New Dock Street, being 208 feet 6 inches northerly from the corner formed by the intersection of the northerly side of Water Street with the easterly side of New Dock Street; running thence easterly along the northerly side of a two story brick building and continuing to and along the northerly side of a four story brick building and a five story brick building a total distance of 692 feet 5 1/4 inches to a point on the westerly side of Main Street which is distant 190 feet 2 inches northerly from the corner formed by the intersection of the northerly side of Water Street with the westerly side of Main Street, as measured along the westerly side of Main Street; thence southerly along the westerly side of said Main Street 129 feet 11 inches to a point thereon which is distant 60 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Water Street with the westerly side of Main Street; thence westerly on a line forming an interior angle of 89 degrees 36 minutes 40 seconds with the westerly side of Main Street, 88 feet; thence southerly parallel with the westerly side of Main Street, 10 feet; thence westerly parallel with the northerly side of Water Street, 24 feet 8 inches; thence southerly on a line forming an interior angle of 89 degrees 32 minutes 30 seconds with the northerly side of Water Street, 50 feet to the northerly side of Water Street; thence westerly along the northerly side of Water Street 487 feet to the intersection of the northerly side of Water Street with the easterly side of New Dock Street; thence northerly along the easterly side of New Dock Street 208 feet 6 inches to the point or place of beginning; comprising approximately 2.651 acres.

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

Parcel 1 (Lot 21, Block 7)

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

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

Parcel 2 (Portion of Washington Street)

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

of Brooklyn, County of Kings, City and State of New York, more particularly bounded and described as follows:

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

Parcel 3 (portion of Lot 1, Block 7)

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

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

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

S 8. This act shall take effect immediately.