STATE OF NEW YORK

11158

IN ASSEMBLY

June 11, 2018

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

AN ACT to amend the transportation law and the highway law, in relation to authorizing an airport mass transit project at LaGuardia airport; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative findings. LaGuardia airport is a pillar of New York state's transportation network and a key driver of economic growth throughout the state and the country. However, LaGuardia airport remains the only major regional airport without a direct rail link. The lack of public transit options forces passengers to rely heavily on private cars, for-hire-vehicles and taxis to reach the airport, which in turn results in higher levels of regional traffic congestion, unpredictable travel time to LaGuardia airport and potential adverse environmental effects. To support this important airport access mass transit project, this act would authorize the acquisition of property interests necessary for the landing of guideway support columns and siting of ancillary facilities for airport access mass transit equipment maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas, and air rights related to an elevated guideway and related entry, exit and crossing points for pedestrians and vehicles, and utilization by the New York state department of transportation or the transfer to the Port Authority of New York and New Jersey and certain other parties, in either case to permit construction, use, occupancy, operation and maintenance of the airport access mass transit facility; provided however, this legislation does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations. The legislature finds and declares that it is a substantial state concern, with an impact well beyond a single munici-

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

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pality, to ensure access to safe and reliable mass transit to LaGuardia airport, a major transportation hub relied upon by people throughout the state.

§ 2. Subdivision 1 of section 14-d of the transportation law is amended by adding a new paragraph d to read as follows:

d. to acquire by eminent domain, pursuant to the eminent domain procedure law and section thirty of the highway law, any property, property rights or property interests, including easements, air rights and subsurface rights, whether or not now or previously designated as parkland, or otherwise dedicated to a public use as parkland, (hereinafter "property interests"), and, provided with respect to real property now or previously designated as parkland, just compensation therefor shall be calculated as an amount equal to the appraised fair market value of the parkland being discontinued, and further provided only to the extent that such property interests are, in the judgement of the commissioner, necessary for the construction, use, occupancy, operation, and maintenance of an airport access mass transit facility for LaGuardia airport via elevated guideway, and related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project, temporary laydown and construction areas, and air rights and subsurface rights related to an elevated guideway, including appropriate entry and exit points for users of the airport access mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, in all cases running along a route from LaGuardia airport on or near the Grand Central Parkway, thence along the edge of the Citi Field parking lot previously alienated for stadium use, next alongside the existing elevated track for the No. 7 subway and terminating at subway rail yards and other transportation staging and storage areas within a corridor more specifically defined pursuant to section three hundred forty-nine-g of the highway law; and to utilize, or sell, lease, contract, or otherwise transfer the acquired property interests together with property interests it otherwise holds and/or grant easements, licenses, permits, concessions or other authorizations, to the Port Authority of New York and New Jersey to facilitate the construction (including temporary laydown), and permanent use, occupancy, operation, and maintenance of the airport access mass transit facility, related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project; provided however, this subdivision does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations.

§ 3. The highway law is amended by adding a new section 349-g to read as follows:

§ 349-g. Airport access mass transit for LaGuardia airport. (a) Notwithstanding any other provision of law, general, special, charter or local, and consistent with section fourteen-d of the transportation law, if a property acquisition pursuant to this section occurs by eminent domain, the commissioner of transportation shall have the authority to acquire any property, property rights, or property interests, including easements, air rights and subsurface rights whether or not now or previ-

ously designated as parkland or otherwise dedicated to a public use as parkland (hereinafter referred to as "property interests"), but only to the extent that such property interests are, in the judgment of the commissioner, necessary for the construction, use, occupancy, operation, and maintenance of an airport access mass transit facility via an elevated guideway for LaGuardia airport and related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas and air rights and subsurface rights related to an elevated guideway, including appropriate entry and exit points for users of the airport access mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, running along a route from LaGuardia airport on or near the Grand Central Parkway, thence along the edge of the Citi Field parking lot previously alienated for stadium use, next alongside the existing elevated track for the No. 7 subway and terminating at subway rail yards and other transportation staging and storage areas within a corridor more specifically defined pursuant to subdivision (b) of this section; and to utilize or sell, lease, contract, or otherwise transfer the acquired property interests together with property interests the commissioner otherwise holds and/or grant easements, licenses, permits, concessions or other authorizations, to the Port Authority of New York and New Jersey, to facilitate the construction (including temporary laydown), and permanent use, occupancy, operation, and maintenance of the airport access mass transit facility and related ancillary facilities for airport access transit maintenance, parking for persons using the airport access transit facility and additional limited purposes directly related to operation of an airport access mass transit project, and additional limited purposes directly related to operation of an airport access mass transit project including appropriate entry and exit points for users of the mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, and temporary use for laydown and construction purposes; provided however, this section does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations.

(b) The corridor defined in subdivision (a) of this section, where the acquisition of such property, property rights, or property interests referred to in this section may occur, is more particularly described as follows:

(i) The following parcels shall be included within a corridor within which acquisition of permanent property interests may be acquired for purposes of this section and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Tract 1 - Grand Central Parkway

Beginning at a point in the easterly right of way line of Ditmars Boulevard at the southwest corner of Tax Map Lot 50 Block 1641, thence along a line North 15°-10'-31" East, a distance of 493.53' to a point within the westerly line of Tax Map Lot 1 Block 926, and from said point of beginning running thence:

1. Within the westbound lanes of the Grand Central Parkway South 07°-53'-31" East, a distance of 114.46' to a point within the westbound lanes of the Grand Central Parkway

2. Within the westbound lanes of the Grand Central Parkway South 39°-25'-56" East, a distance of 338.44' to a point in the westbound lanes of the Grand Central Parkway, thence;

3. Within said lands the following six courses; South 34°-46'-30" East, a distance of 596.00' to a point in the westbound lanes of the Grand Central Parkway, thence;

4. South 32°-52'-42" East, a distance of 284.58' to a point in the westbound lanes of the Grand Central Parkway, thence;

5. South 31°-22'-20" East, a distance of 270.24' to a point in the westbound lanes of the Grand Central Parkway, thence;

6. South 31°-20'-42" East, a distance of 561.27' to a point in the westbound lanes of the Grand Central Parkway, thence;

7. South 31°-24'-15" East, a distance of 479.68' to a point in the westbound lanes of the Grand Central Parkway, thence;

8. South 34°-12'-57" East, a distance of 122.82' to a point in the westbound lanes of the Grand Central Parkway, thence;

9. Within said lands and through the westbound lanes of the Grand Central Parkway South 47°-22'-46" West, a distance of 81.54' to a point in the eastbound lanes of the Grand Central Parkway, thence;

10. Within the eastbound lanes of the Grand Central Parkway on a curve to the left, having a radius of 1795.88', an arc length of 814.04', a central angle of 25°-58'-16", and whose chord bears South 49°-41'-11" East, a distance of 807.08' to a point in the eastbound lanes of the Grand Central Parkway, thence;

11. Within the eastbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 4175.45', an arc length of 369.28', a central angle of 05°-04'-02", and whose chord bears South 60°-46'-11" East, a distance of 369.16' to a point in the eastbound lanes of the Grand Central Parkway, thence;

12. Through the westbound lanes of Grand Central Parkway and waters of Flushing Bay North 18°-38'-40" East, a distance of 1016.75' to a point in the waters of Flushing Bay, thence;

13. Within the waters of Flushing Bay North 45°-38'-00" West, a distance of 2406.73' to a point in the waters of Flushing Bay said point also being in the southerly line of Tax Map Lot 1 Block 926, thence;

14. Along the southerly line of Tax Map Lot 1 Block 926 South 40°-14'-47" West, a distance of 458.89' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

15. Along the westerly line of Tax Map Lot 1 Block 926 North 39°-47'-03" West, a distance of 685.00' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

16. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to the left, having a radius of 9711.30', an arc length of 342.94', a central angle of 02°-01'-24", and whose chord bears North 40°-47'-45" West, a distance of 342.93' to a point in the westerly line of Tax Map Lot 1 Block 926 also the point and place of beginning and containing a calculated areas of 2,388,737.04 SF or 54.837 acres.

(B) Parcel B

All that certain tracts or parcels of land located in the Grand Central Parkway, Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 23°-03'-48" East, a distance of 575.33' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Through the westbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 1200', an arc length of 472.65', a central angle of 22°-34'-02", and whose chord bears North 46°-30'-24" West, a distance of 469.60' to a point in the median of the Grand Central Parkway, thence;

2. Within said lands the following three courses, North 07°-32'-34" West, a distance of 806.64' to a point in the median of the Grand Central Parkway, thence;

3. On a curve to the left, having a radius of 956.60', an arc length of 1069.45', a central angle of 64°-03'-18", and whose chord bears North 33°-04'-05" West, a distance of 1014.62' to a point in the median of the Grand Central Parkway, thence;

4. North 61°-01'-46" West, a distance of 279.45' to a point in the median of the Grand Central Parkway, said point also being the easterly line of lands owned by the New York State Department of Transportation, thence;

5. Along the easterly line of same, North 18°-38'-40" East, a distance of 1016.75' to a point in the waters of Flushing Bay, thence;

6. Within the waters of Flushing Bay South 45°-38'-00" East, a distance of 1092.05' to a point in the waters of Flushing Bay, said point also being the westerly line of Tax Map Lot 65 Block 789, thence;

7. Along the westerly line of same South 05°-02'-52" East, a distance of 456.35' to a point in the westerly line of Tax Map Lot 65 Block 789, thence;

8. Within the Grand Central Parkway South 04°-53'-32" West, a distance of 1348.61' to a point in the median of the Grand Central Parkway, thence;

9. Through the westbound lanes of the Grand Central Parkway South 28°-11'-29" East, a distance of 427.88' to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

10. Along the westerly line of same, South 05°-00'-28" East, a distance of 133.39 to the point and place of beginning and containing a calculated areas of 1,375,044.58 SF or 31.566 acres.

(C) Parcel C

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 23°-03'-48" East, a distance of 575.33' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Along the westerly line of same, North 05°-00'-28" West, a distance of 133.39 to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

2. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a distance of 584.20' to a point in Lot 20 Block 1787, thence;

3. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South 86°-10'-42" East, a distance of 420.78' to a point in Tax Map Lot 1500 Block 2018, thence;

4. Within said lands, North 68°-23'-55" East, a distance of 607.27' to a point in Tax Map Lot 1500 Block 2018, thence;

5. Within said lands, North 21°-35'-11" West, a distance of 16.75' to a point in the southerly right of way line of Roosevelt Avenue, thence;

6. Along the southerly line of same, North 68°-25'-28" East, a distance of 1025.26' to a point formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence;

7. Along the easterly right of way line of 126th Street, South 21°-35'-11" East, a distance of 259.05' to a point in the easterly right of way line of 126th Street, thence;

8. Along the northerly line of Tax Map Lot 1000 Block 2018, South 68°-25'-28" West, a distance of 610.51' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

9. Along the northerly line of same, South 68°-30'-37" West, a distance of 230.61' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

10. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a distance of 207.77' to a point in Tax Map Lot 1500 Block 2018, thence;

11. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a distance of 917.78' to a point in Tax Map Lot 1500 Block 2018, thence;

12. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 793.76' to the point and place of beginning and containing a calculated areas of 458,276.64 SF or 10.520 acres.

(D) Parcel D

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, and from said point of beginning running thence:

1. Along the southerly right of way line of Roosevelt Avenue, North 68°-30'-18" East, a distance of 420.90' to a point in the southerly right of way line of Roosevelt Avenue, thence;

2. Along the southerly right of way line of Roosevelt Avenue, North 62°-00'-28" East, a distance of 263.59' to a point in the southerly right of way line of Roosevelt Avenue, thence;

3. Within Tax Map Lot 300 Block 2018 South 21°-35'-11" East, a distance of 244.87' to a point in Lot 300 Block 2018, thence;

4. Through Tax Map Lot 300 Block 2018 and Tax Map Lot 75 Block 2018 South 68°-30'-18" West, a distance of 682.85' to a point in the easterly right of way line of 126th Street, thence;

5. Along the easterly right of way line of 126th Street, North 21°-35'-11" West, a distance of 215.05' to a point in the easterly right of way line of 126th Street to the point and place of beginning and containing a calculated areas of 150,750.81 SF or 3.46 acres.

(E) Parcel E

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the westerly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along the westerly right of way

line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a point within the northerly line of Tax Map Lot 1000 Block 2018, thence along the northerly line of Tax Map Lot 1000 Block 2018 South 68°-25'-28" West, a distance of 610.51' to a point within the northerly line of Lot 1000 Block 2018, and from said point of beginning running thence:

1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a distance of 37.85' to a point in Tax Map Lot 1000 Block 2018, thence;

2. Within said lands the following two courses, South 21°-02'-11" East, a distance of 96.44' to a point in Tax Map Lot 1000 Block 2018, thence;

3. South 47°-44'-48" East, a distance of 127.09' to a point in Tax Map Lot 1000 Block 2018, thence;

4. Through Tax Map Lot 1000 Block 2018 and Tax Map Lot 350R Block 2018 South 38°-51'-17" East, a distance of 330.15' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

5. Along the northerly line of Tax Map Lot 300R Block 2018 South 65°-11'-49" West, a distance of 182.95' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

6. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018 North 38°-51'-17" West, a distance of 556.87' to a point within Tax Map Lot 1000 Block 2018, thence;

7. Within Tax Map Lot 1000 Block 2018 North 47°-13'-34" West, a distance of 42.46' to a point along the southerly line of Tax Map Lot 1500 Block 2018, thence;

8. Along the southerly line of Tax Map Lot 1500 Block 2018 North 68°-30'-37" East, a distance of 230.61' to the point and place of beginning and containing a calculated areas of 104,235.19 SF or 2.392 acres.

(ii) The following parcels shall be included within a corridor within which acquisition of temporary property interests may be acquired for purposes of this section three hundred forty-nine-g and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point in the easterly right of way line of Ditmars Boulevard at the southwest corner of Tax Map Lot 50 Block 1641, thence along a line North 12°-36'-04" East, a distance of 509.49' to a point within the westerly line of Tax Map Lot 1 Block 926, and from said point of beginning running thence:

1. Within the westbound lanes of the Grand Central Parkway South 07°-53'-31" East, a distance of 141.88' to a point in the westbound lanes of the Grand Central Parkway, thence;

2. Within the westbound lanes of the Grand Central Parkway South 39°-25'-56" East, a distance of 342.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

3. Within said lands the following six courses; South 34°-46'-30" East, a distance of 595.14' to a point in the westbound lanes of the Grand Central Parkway, thence;

4. South 32°-52'-42" East, a distance of 284.13' to a point in the westbound lanes of the Grand Central Parkway, thence;

5. South 31°-22'-20" East, a distance of 270.04' to a point in the westbound lanes of the Grand Central Parkway, thence;

6. South 31°-20'-42" East, a distance of 561.27' to a point in the westbound lanes of the Grand Central Parkway, thence;

7. South 31°-24'-15" East, a distance of 480.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

8. South 34°-13'-04" East, a distance of 110.24' to a point in the westbound lanes of the Grand Central Parkway, thence;

9. Through the westbound lanes of the Grand Central Parkway South 47°-22'-46" West, a distance of 82.07", to a point in the eastbound lanes of the Grand Central Parkway, thence;

10. Within the eastbound lanes of the Grand Central Parkway on a curve to the left, having a radius of 1778.30', an arc length of 834.73', a central angle of 26°-53'-40", and whose chord bears South 49°-28'-25" East, a distance of 827.08' to a point in the eastbound lanes of the Grand Central Parkway, thence;

11. Within the eastbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 4238.74", an arc length of 371.50', a central angle of 05°-01'-18", and whose chord bears South 60°-46'-13" East, a distance of 371.38' to a point in the eastbound lanes of the Grand Central Parkway, thence;

12. Through the westbound lanes of Grand Central Parkway and waters of Flushing Bay North 18°-38'-40" East, a distance of 1054.19' to a point in the waters of Flushing Bay, thence;

13. Within the waters of Flushing Bay North 45°-38'-00" West, a distance of 2330.21' to a point in the waters of Flushing Bay said point also being in the southerly line of Tax Map Lot 1 Block 926, thence;

14. Along the southerly line of Tax Map Lot 1 Block 926 North 62°-16'-56" West, a distance of 69.81' to a point in the southerly line of Tax Map Lot 1 Block 926, thence;

15. Along the southerly line of Tax Map Lot 1 Block 926 South 40°-14'-47" West, a distance of 458.89' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

16. Along the westerly line of Tax Map Lot 1 Block 926 North 39°-47'-03" West, a distance of 685.00' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

17. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to the left, having a radius of 9711.30', an arc length of 342.94', a central angle of 02°-01'-24", and whose chord bears North 40°-47'-45" West, a distance of 342.93' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

18. Along the westerly line of Tax Map Lot 1 Block 926 North 40°-47'-45" West, a distance of 27.61' to a point in the westerly line of Tax Map Lot 1 Block 926, also the point and place of beginning and containing a calculated areas of 2,497,386.76 SF or 57.332 acres.

(B) Parcel B

All that certain tracts or parcels of land located in the Grand Central Parkway, Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 24°-39'-00" East, a distance of 547.13' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Through the westbound lanes of the Grand Central Parkway South 77°-38'-22" West, a distance of 287.24', to a point within the median of the Grand Central Parkway, thence;

2. Within the median of the Grand Central Parkway the following two courses; North 10°35'14" West, a distance of 1045.10', to a point in the median of the Grand Central Parkway, thence;

3. Within the Grand Central Parkway on a curve to the left, having a radius of 1993.67', an arc length of 1428.31', a central angle of 41°02'53", and whose chord bears North 33°54'06" West, a distance of 1397.96', to a point in the eastbound lanes of the Grand Central Parkway, said point also being the easterly line of lands owned by the New York State Department of Transportation, thence;

4. Along the easterly line of lands owned by the New York State Department of Transportation, North 18°-38'-40" East, a distance of 1054.19' to a point within the waters of Flushing Bay, thence;

5. Within the waters of Flushing Bay South 45°-38'-00" East, a distance of 1109.08', to a point in the waters of Flushing Bay, said point also being within Tax Map Lot 65 Block 1789, thence;

6. Within the waters of Flushing Bay South 05°-02'-53" East, a distance of 465.40', to a point within Tax Map Lot 65 Block 1789, thence;

7. Within the Grand Central Parkway South 04°-53'-30" West, a distance of 1336.32', to a point in the median of the Grand Central Parkway, thence;

8. Through the westbound lanes of the Grand Central Parkway, South 76°-53'-58" East, a distance of 198.10', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

9. Along the westerly line of same, the following three courses; South 03°-28'-07" West, a distance of 240.75', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

10. South 01°-26'-38" East, a distance of 104.30', to a point in the westerly line of Tax Map Lot 20 Block 1787, thence;

11. South 05°-00'-28" East, a distance of 165.58', to the point and place of beginning and containing a calculated areas of 1,699,154.25 SF or 39.007 acres.

(C) Parcel C

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 24°-39'-00" East, a distance of 547.13' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Along the westerly line of same the following two course; North 05°-00'-28" West, a distance of 165.58', to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

2. North 01°-26'-38" West, a distance of 104.30', to a point within the westerly line of Tax Map Lot 20 Block 1787, thence;

3. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a distance of 163.06', to a point in Lot 20 Block 1787, thence;

4. Within Tax Map Lot 20 Block 1787, North 68°-47'-17" East, a distance of 198.49', to a point in Lot 20 Block 1787, thence;

5. Within Tax Map Lot 20 Block 1787, South 22°-21'-18" East, a distance of 381.93', to a point in Lot 20 Block 1787, thence;

6. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a distance of 48.54', to a point in Lot 20 Block 1787, thence;

7. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South 86°-10'-42" East, a distance of 398.17', to a point in the northerly line of Tax Map Lot 1500 Block 2018, said point also being in the southerly right of way line of Roosevelt Avenue, thence;

8. Along the southerly right of way line of Roosevelt Avenue North 68°-23'-55" East, a distance of 609.39', to a point in the southerly right of way line of Roosevelt Avenue, thence;

9. Within Roosevelt Avenue, North 21°-35'-11" West, a distance of 10.14', to a point within Roosevelt Avenue, thence;

10. Within Roosevelt Avenue North 68°-25'-28" East, a distance of 1035.26', to a point within Roosevelt Avenue, thence;

11. Within Roosevelt Avenue and along the easterly right of way line of 126th Street, South 21°-35'-11" East, a distance of 289.03', to a point within Tax Map Lot 1000 Block 2018, thence;

12. Within Tax Map Lot 1000 Block 2018, South 68°-25'-28" West, a distance of 620.84', to a point in Tax Map Lot 1000 Block 2018, thence;

13. Within Tax Map Lot 1000 Block 2018 North 05°-44'-59" East, a distance of 22.49', to a point in the southerly line of Tax Map Lot 1500 Block 2018, thence;

14. Along the southerly line of same, South 68°-30'-37" West, a distance of 241.71', to a point in the southerly line of Tax Map Lot 1500 Block 2018, thence;

15. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a distance of 175.88', to a point in Tax Map Lot 1500 Block 2018, thence;

16. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a distance of 949.27', to a point in Tax Map Lot 1500 Block 2018, thence;

17. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 779.92', to the point and place of beginning and containing a calculated areas of 607,660.66 SF or 13.949 acres.

(D) Parcel D

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along a line North 21°-35'-11" West, a distance of 10.00' to a point within Roosevelt Avenue and from said point of beginning running thence:

1. Within the right of way of Roosevelt Avenue, North 68°-30'-18" East, a distance of 420.35' to a point in the right of way of Roosevelt Avenue, thence;

2. Within the right of way of Roosevelt Avenue, North 62°-00'-28" East, a distance of 264.15' to a point in the right of way of Roosevelt Avenue, thence;

3. Through Roosevelt Avenue and Tax Map Lot 300 Block 2018 South 21°-35'-11" East, a distance of 254.94' to a point in Lot 300 Block 2018, thence;

4. Through Tax Map Lot 300 Block 2018 South 58°-00'-57" West, a distance of 386.69', to a point in the southeasterly line of Tax Map Lot 75 Block 2018, thence;

5. Within Tax Map Lot 75 Block 2018 South 77°-57'-39" West, a distance of 162.28' to a point in Tax Map Lot 75 Block 2018, thence;

6. Within Tax Map Lot 75 Block 2018 South 68°-23'-55" West, a distance of 142.47' to a point in Tax Map Lot 75 Block 2018, said point also being along the easterly line of 126th Street, thence;

7. Along the easterly right of way line of 126th Street, North 21°-35'-11" West, a distance of 269.04' to the point and place of beginning and containing a calculated areas of 186,365.46 SF or 4.278 acres.

(E) Parcel E

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:
Beginning at a point at the intersection formed by the intersection of the westerly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along the westerly right of way line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a point within the northerly line of Tax Map Lot 1000 Block 2018, thence along the northerly line of Tax Map Lot 1000 Block 2018 South 68°-25'-28" West, a distance of 610.51' to a point within the northerly line of Lot 1000 Block 2018, and from said point of beginning running thence:

1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a distance of 37.84', to a point in Tax Map Lot 1000 Block 2018, thence;

2. Within said lands the following three courses, South 21°-02'-11" East, a distance of 96.44', to a point in Tax Map Lot 1000 Block 2018, thence;

3. South 47°-44'-48" East, a distance of 71.01', to a point in Tax Map Lot 1000 Block 2018, thence;

4. North 68°-23'-55" East, a distance of 489.48', to a point in the northerly line of Tax Map Lot 350R Block 2018, thence

5. Within Tax Map Lot 350R Block 2018 the following two courses, South 43°-22'-54" East, a distance of 39.27', to a point in Lot 350R Block 2018, thence;

6. South 42°-24'-34" West, a distance of 391.74', to a point in the northerly line of Lot 350R Block 2018, thence;

7. Through Tax Map Lot 350R Block 2018, South 46°-00'-42" East, a distance of 166.93', to a point in the southerly line of Lot 350R Block 2018, said point also being in the northerly line of Lot 300R Block 2018, thence;

8. Along the northerly line of Tax Map Lot 300R Block 2018 South 65°-11'-49" West, a distance of 556.87', to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

9. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018, North 24°-48'-11" West, a distance of 164.72', to a point within Tax Map Lot 1000 Block 2018, thence;

10. Within Tax Map Lot 1000 Block 2018 the following three courses; North 51°-08'-46" East, a distance of 217.28', to a point within Tax Map Lot 1000 Block 2018, thence;

11. North 38°-51'-17" West, a distance of 329.46', to a point within Tax Map Lot 1000 Block 2018, thence;

12. North 47°-13'-34" West, a distance of 46.55' to a point along the southerly line of Tax Map Lot 1500 Block 2018, thence;

13. Along the southerly line of Tax Map Lot 1500 Block 2018 North 68°-30'-37" East, a distance of 241.71' to the point and place of beginning and containing a calculated areas of 236,272.08 SF or 5.424 acres.

(F) Any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the above described corridor.

(c) Notwithstanding any other provision of law, general, special, charter or local, following acquisition, the commissioner of transportation may use such property interests together with property interests already owned or held within the corridor described in subdivision (b) of this section or enter into contracts to sell, or lease to, contract with or otherwise transfer to, and/or exchange with, and/or grant ease-

ments, licenses, permits, concessions, or other authorizations to, the Port Authority of New York and New Jersey, to construct (including utilizing temporary laydown areas), and permanently use, occupy, operate, and maintain the airport access mass transit facility, related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project; provided however, this section does not authorize use of property interests for a self-standing facility constructed to house premises for automobile rental operations; and provided further that, the Port Authority of New York and New Jersey may, notwithstanding any other provision of law, general, special, charter or local, transfer any property interests to the city of New York, in accordance with the terms and conditions for the lease of airport premises by the city of New York to the Port Authority of New York and New Jersey and the city of New York may, following such transfer, leaseback the property interests under those terms and conditions.

(d) Upon completion of any modifications to the Grand Central Parkway, the commissioner of transportation shall by official order transfer jurisdiction over the central express artery and adjacent landscape areas and over adjacent service roads to the city of New York as set forth in subdivision 3.4 of section three hundred forty-nine-c of this article.

(e) Authorization is hereby given to the commissioner of transportation to do all things necessary, within the judgment of the commissioner, to carry out the purposes of this section.

(f) During the construction of any airport access mass transit facility for LaGuardia airport and related ancillary facilities on any property interests acquired pursuant to this section, section fourteen-d of the transportation law, or pursuant to any other section of law, the constructing party shall provide for the on-going monitoring of vibrations, noise and air quality during construction.

(g) The constructing party shall ensure the provision of just compensation to a property owner of any property or building within the vicinity of the construction of any airport access mass transit facility for LaGuardia airport and related ancillary facilities that has been physically damaged as a result of action taken by the constructing party or its agent during such construction, however, nothing herein shall establish a cause of action for such damages.

§ 4. (A) The use of any property, property rights, or property interests including easements, air rights and subsurface rights, acquired pursuant to paragraph d of subdivision 1 of section 14-d of the transportation law, as added by section two of this act, for any essential facilities necessary for the construction, operation, and maintenance of an airport access mass transit facility for LaGuardia airport including: temporary and permanent stairways; pedestrian walkways/bridges other than the Passerelle; and vertical movement (i.e. elevators, escalators); guideway superstructure, columns, and foundations; guideway and station equipment such as track, third rail, walkways, handrails, noise wall, lighting, blue light stations, CCTV, fare collection systems and security equipment and provisions; facility ingress and egress installations; all utilities necessary for an airport access mass transit facility such as high and low voltage electric, grounding, natural gas, water, sewer, drainage, cable, fiber, communication towers, antennae, temporary utilities and miscellaneous utilities and services; utilities facilities including, but not limited to, substations, transformers,

mechanical, and pumping facilities; temporary and permanent public access roads, pedestrian bridges other than the Passerelle, sidewalks, pathways, and traffic facilities; temporary and permanent security fencing, guard booths, CCTV systems, security equipment/provisions as well as bollards and walls of various materials; landscaping features, sustainable design installations, and mitigation elements required through the environmental or regulatory approval process(es), or as a result of recommendations from local community outreach; temporary and permanent lighting fixtures including any aviation warning lights; temporary infrastructure to support construction; temporary and permanent signage and signage structures; temporary and permanent facilities and buildings such as operations, storage and maintenance facilities, passenger stations, as well as other miscellaneous support facilities and buildings, which include all equipment required to provide a fully functional installation including elements such as oil separation, fuel storage, vehicle cleaning, backup power systems, and other associated equipment; corrosion and erosion control monitoring and mitigating installations; temporary parking during construction and parking for employees of an access mass transit facility; concessions and small business facilities; temporary construction equipment and facilities; public announcement and other annunciating equipment and facilities; temporary storage facilities; temporary and permanent systems support installations (i.e. communications and train control); lightning protection installation; storage facilities to support the airport access mass transit facility and airport operations; all interfaces with the NYCT 7 line and MTA/LIRR; all rearrangements related to MTA bus and rail operations at Willets Point; alternative/sustainable energy systems (i.e. solar panels, electric vehicle charging stations, energy storage, etc.); waste/refuse storage and processing associated with airport access mass transit facility operations (i.e. trash compactors and dumpsters); storm water treatment and storage facilities (above and/or underground); and flood mitigation installations shall be authorized.

(B) The use of any property, property rights, or property interests including easements, air rights and subsurface rights acquired pursuant to paragraph d of subdivision 1 of section 14-d of the transportation law, as added by section two of this act, for any nonessential facilities including: permanent parking facilities; and other nonessential facilities not directly related to the construction, operation, and maintenance of an airport access mass transit facility for LaGuardia airport and not necessary for such facility's operation shall be authorized only upon the condition that a memorandum of understanding is executed between the Mayor of the City of New York and the port authority of New York and New Jersey.

(C) The acquisition of any property, property rights, or property interests including easements, air rights and subsurface rights authorized pursuant to paragraph d of subdivision 1 of section 14-d of the transportation law, as added by section two of this act, shall take effect only upon the condition that a memorandum of understanding is executed between the mayor of the city of New York and the port authority of New York and New Jersey for the renovation of the Passerelle bridge and the interfaces with the Passerelle structures.

§ 5. If property interests acquired on real property currently designated as parkland or that is currently used for park purposes pursuant to the authorization contained in this act are not used within fifteen years of their acquisition or shall ever be used for a purpose other than for the use authorized pursuant to this act, such property shall

revert back to the city of New York department of parks and recreation to be used for park and recreational purposes or for the purposes that are consistent with those provided by chapter 729 of the laws of 1961.

§ 6. New York City shall dedicate an amount equal to or greater than the fair market value received from the department of transportation's acquisition of parklands pursuant to the authorization in paragraph d of subdivision 1 of section 14-d of the transportation law, as added by section two of this act, toward the acquisition of new parkland and/or capital improvements to existing parkland and recreational facilities provided, however, that if any such parkland is waterfront parkland the fair market value may only be used for the acquisition of new waterfront parklands and/or capital improvements to existing waterfront parkland and recreational facilities.

§ 7. This act shall take effect immediately and shall expire and be deemed repealed ten years after such date, provided, however, that such repeal shall only occur if no property interests have been acquired pursuant to this act; provided further that the commissioner of the department of transportation shall notify the legislative bill drafting commission upon the occurrence of the repeal of the legislation provided for in this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.