

STATE OF NEW YORK

11187

IN ASSEMBLY

June 13, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Glick) --
(at request of the Metropolitan Transportation Authority) -- read once
and referred to the Committee on Cities

AN ACT to authorize the city of New York to discontinue the use as park
land of a portion of real property in the county of New York and to
grant easements

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

1 Section 1. Subject to the provisions of this act, but notwithstanding
2 any provision of law to the contrary, the city of New York is hereby
3 authorized to discontinue permanently the use as park land certain
4 subsurface portions of the lands described in section three of this act
5 and to discontinue temporarily the use as park land the lands described
6 in section four of this act and to grant easements to such lands to the
7 metropolitan transportation authority, upon such terms and conditions as
8 the city shall determine, to enable the New York city transit authority,
9 an affiliate of the metropolitan transportation authority, to use such
10 lands for the construction of a new subsurface electrical substation
11 adjacent to the existing tunnel of the A, C, E subway lines to provide
12 power to enable additional subway trains to be operated.

13 § 2. The authorizations provided in section one of this act shall be
14 effective only upon the condition that the city of New York dedicates an
15 amount equal to or greater than the fair market value of the park lands
16 being discontinued towards the acquisition of new park lands and/or
17 capital improvements to existing park land and recreational facilities
18 within community board two in the borough of Manhattan.

19 § 3. The lands hereby authorized by section one of this act to be
20 discontinued as park land and granted as a subsurface easement to the
21 metropolitan transportation authority are located in the city, county
22 and state of New York in a park known as the grand canal court and are
23 bounded and described as follows:

24 Permanent subsurface easement 1 on Tax Lot 33 in Block 227, Borough of
25 Manhattan:

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

LBD14356-11-8

Beginning at a point (N=202372.05, E=982851.41)(NAD83/NAVD88) at the corner formed by the intersection of the northeasterly and northwesterly sidelines of Thompson Street, a variable width right of way, running thence,

1) Northwesternly along the said northeasterly sideline of Thompson Street 24.57' to a point in the same northeasterly sideline of Thompson Street, thence,

2) On a line having an interior angle of $41^{\circ} 13' 15.92''$ with the previous course 28.15' to a point in the northwesterly sideline of Thompson Street, thence,

3) Along the northwesterly sideline of Thompson Street in a general southwesterly direction having an interior angle of $59^{\circ} 08' 44.08''$ with the previous course 18.86' to the POINT and PLACE of the BEGINNING.

The easement described above has a height of 14.70'. The easement begins at an elevation of 4.70' (the park floor elevation is 6.00± to 8.00±) and runs to an elevation of -10.00'.

Said parcel containing 228 square feet of land more or less.

Permanent subsurface easement 2 on Tax Lot 33 in Block 227, Borough of Manhattan

Beginning at a point (N=202448.58, E=982829.32)(NAD83/NAVD88) in the easterly sideline of Avenue of the Americas, which point is 45.14' distant from the corner formed by the intersection of the northeasterly sideline of Thompson Street (a variable width of right of way) and the easterly sideline of the Avenue of the Americas, (100' wide), running thence,

1) Along the same easterly sideline of Avenue of the Americas in a general northerly direction 49.69' to a point, thence,

2) Southeasterly on a line having an interior angle of $74^{\circ} 17' 10.43''$ with the previous course 38.86' to a point, thence,

3) In a general southwesterly direction on a line having an interior angle of $89^{\circ} 30' 55.67''$ with the previous course 47.67' to a point, thence,

4) On a line having an interior angle of $91^{\circ} 00' 50.94''$ with the previously mentioned course 25.00' to the POINT and PLACE of the BEGINNING.

The easement described above has a height of 16.34'. The easement begins at an elevation of 6.34' (the park floor elevation is 6.00± to 8.00±) and runs to an elevation of -10.00'.

Said parcel containing 1,524 square feet of land more or less.

Permanent subsurface easement 3 on Tax Lot 33 of Block 227, Borough of Manhattan:

Beginning at a point (N=202372.05', E=982851.41)(NAD83/NAVD88) at the corner formed by the intersection of the northeasterly and northwesterly sidelines of Thompson Street, a variable width right of way, running thence

1) Northwesternly along the said northeasterly sideline of Thompson Street 16.26' to a point on the same northerly sideline of Thompson Street, thence,

2) On a line in a general northerly direction having an interior angle of $130^{\circ} 20' 24.62''$ with the previous course 66.50' to a point, thence,

3) On a line in a general easterly direction having right angles with the previous course 4.00' to a point, thence,

4) On a line in a general northerly direction having right angles with the previous course 19.80' to a point, thence,

5) On a line in a general westerly direction having right angles with the previous course 4.00' to a point, thence,

6) On a line in a general northerly direction having right angles with the previous course 25.87' to a point, thence,

7) On a line having an interior angle of $59^{\circ} 57' 16.81''$ with the previous course 72.03' to a point on the northwesterly sideline of Thompson Street, thence,

8) Along the said northwesterly sideline of Thompson Street on a line having an interior angle of $90^{\circ} 04' 18.57''$ with the previous course 100.00' to the POINT and PLACE of the BEGINNING.

The easement described above has a height of 55.00'. The easement begins at an elevation of -10.00' and runs to an elevation of -65.00'.

Said parcel containing 4,218 square feet of land more or less.

§ 4. The lands hereby authorized by section one of this act to be discontinued temporarily as park land and granted as a temporary easement for no more than forty-five (45) months to metropolitan transportation authority for use by the New York city transit authority in connection with the construction of the electrical substation are located in the city, county and state in New York in a park known as the grand canal court and are bounded and described as follows:

Temporary subsurface easement 1 on Tax Lot 33 in Block 227, Borough of Manhattan

Beginning at a point (N=202372.05, E=982851.41)(NAD83/NAVD88) at the corner formed by the intersection of the northeasterly and northwesterly sidelines of Thompson Street, a variable width right of way, running thence,

1) Northwesterly along the said northeasterly sideline of Thompson Street 24.57' to a point in the same northeasterly sideline of Thompson Street, thence,

2) On a line having an interior angle of $41^{\circ} 13' 15.92''$ with the previous course 28.15' to a point in the northwesterly sideline of Thompson Street, thence,

3) Along the northwesterly sideline of Thompson Street in a general southwesterly direction having an interior angle of $59^{\circ} 08' 44.08''$ with the previous course 18.86' to the POINT and PLACE of the BEGINNING.

The easement described above has a height of minimum 1.50'. The easement begins at park elevation (the park floor elevation is 6.00± to 8.00±) and runs to an elevation of 4.70'.

Said parcel containing 228 square feet of land more or less.

Temporary subsurface easement 2 on Tax Lot 33 in Block 227, Borough of Manhattan

Beginning at a point (N=202448.58, E=982829.32)(NAD83/NAVD88) in the easterly sideline of Avenue of the Americas, which point is 45.14' distant from the corner formed by the intersection of the northeasterly sideline of Thompson Street (a variable width right of way) and easterly sideline of Avenue of the Americas, (100' wide), running thence,

1) Along the same easterly sideline of Avenue of the Americas in a general northerly direction 49.69' to a point, thence,

2) Southeasterly on a line having an interior angle of $74^{\circ} 17' 10.43''$ with the previous course 38.86' to a point, thence,

3) In a general southwesterly direction on a line having an interior angle of $89^{\circ} 30' 55.67''$ with the previous course 47.67' to a point, thence,

4) On a line having an interior angle of $91^{\circ} 00' 50.94''$ with the previously mentioned course 25.00' to the POINT and PLACE of the BEGINNING.

1 The easement described above has a height of minimum 1.50'. The ease-
2 ment begins at park elevation (the park floor elevation is 6.00± to
3 8.00±) and runs to an elevation of 6.34'.

4 Said parcel containing 1,524 square feet of land more or less.

5 Temporary subsurface easement 3 on Tax Lot 33 in Block 227, Borough of
6 Manhattan

7 Beginning at a point (N=202388.89', E=982833.52)(NAD83/NAVD88), which
8 is distant 24.57' northwesterly along the northeasterly sideline of
9 Thompson Street from the corner formed by the intersection of the
10 northeasterly and northwesterly sidelines of Thompson Street, a variable
11 width right of way, running thence,

12 1) Northwesterly along the said northeasterly sideline of Thompson
13 Street a distance of 24.19' to a point at the intersection of the
14 northeasterly sideline of Thompson Street with the easterly side of the
15 Avenue of the Americas, thence,

16 2) In a general northerly direction on a line forming an interior
17 angle of 116° 00' 31" with the previous course 45.14' to a point,

18 3) In a general southeasterly direction on a line having an interior
19 angle of 74° 48' 57.04" with the previous course 25.00' to a point,
20 thence,

21 4) In a general northeasterly direction on a line having an exterior
22 angle of 91° 00' 50.94" with the previous course 47.67' to a point,
23 thence,

24 5) In a general southeasterly direction on a line having an interior
25 angle of 90° 29' 04.33" with the previous course 34.67' to a point on
26 the northwesterly sideline of Thompson Street, thence,

27 6) Along the northwesterly sideline of Thompson Street in a general
28 southwesterly direction on a line having an interior angle of 90° 04'
29 18.57" with the previous course 81.14' to a point on the same northwes-
30 terly sideline of Thompson Street, thence,

31 7) In a general westerly direction on a line having an interior angle
32 of 120° 51' 15.92" with the previous course 28.15' to the POINT and
33 PLACE of BEGINNING.

34 The easement described above has a height of minimum 16.20'. The ease-
35 ment begins at park elevation (the park floor elevation is 6.00± to
36 8.00±) and runs to an elevation of -10.00'.

37 Said parcel containing 4,002 square feet of land more or less.

38 § 5. In the event that the city of New York received any funding,
39 support or assistance from the federal government for the purchase,
40 maintenance or improvement of the parklands set forth in sections three
41 and four of this act, the discontinuance and alienation of such parkland
42 authorized by the provisions of this act shall not occur until the city
43 of New York has complied with any federal requirements pertaining to the
44 alienation or conversion of such parklands, including satisfying the
45 secretary of the interior that the alienation or conversion complies
46 with all conditions which the secretary of the interior deems necessary
47 to assure the substitution of other lands shall be equivalent in fair
48 market value and usefulness to the lands being alienated or converted.

49 § 6. Upon the completion of construction, the metropolitan transporta-
50 tion authority shall, in agreement with the city of New York and in
51 consultation with community board two, restore the surface of the lands
52 described in sections three and four of this act and the lands shall
53 continue to be used for park purposes.

54 § 7. This act shall take effect immediately.