

# STATE OF NEW YORK

---

6865

2019-2020 Regular Sessions

## IN ASSEMBLY

March 22, 2019

---

Introduced by M. of A. DICKENS -- read once and referred to the Committee on Governmental Operations

AN ACT authorizing the commissioner of general services to transfer and convey certain lands in the county of New York, city of New York, to the urban development corporation; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Notwithstanding any inconsistent provision of law to the  
2 contrary, the commissioner of general services is authorized to transfer  
3 and convey to the urban development corporation the remaining right,  
4 title, and interest of the people of the state of New York in the lands  
5 and improvements located at 121 West 125th Street and further described  
6 in section two of this act. The conveyance shall be made in consideration of the sum of one dollar and upon such terms and conditions as the  
7 commissioner of general services may fix and determine.

8 § 2. The lands and improvements authorized by section one of this act  
9 to be conveyed are generally described as follows:

11 Parcel 1

12 All that certain plot, piece or parcel of land, situate, lying and  
13 being in the Borough of Manhattan, City, County and State of New York,  
14 bounding and described as follows:

15 BEGINNING at a point on the northerly side of West 125th Street and  
16 150 feet west of the point of intersection between the westerly side of  
17 Lenox Avenue and the northerly side of West 125th Street;

18 (1) thence running westerly along the northerly side of West 125th  
19 Street, 210 feet to a point;

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

LBD10888-01-9

1 (2) thence running in a northerly direction parallel to the Westerly  
2 side of Lenox Avenue, 199 feet 10 inches to the southerly side of West  
3 126th Street;

4 (3) thence running easterly along the southerly side of West 126th  
5 Street 210 feet to a point;

6 (4) thence running in a southerly direction, parallel to the westerly  
7 side of Lenox Avenue 199 feet, 10 inches to the point of beginning.

8

## Parcel 2

9 All that certain volume of space which lies above a horizontal plane  
10 (the "Limiting Plane") drawn at elevation 80.20 feet and intersecting  
11 the vertical planes determined by the above-described boundaries of the  
12 Premises; the elevation of the Limiting Plane being that in the System  
13 known as the Borough Works Datum of the Borough of Manhattan which  
14 designates as zero an elevation which is 2.75 feet above mean sea level  
15 at Sandy Hook, New Jersey.

16 SUBJECT to that certain Easement Agreement and Declaration made by and  
17 between the people of the state of New York, acting by and through the  
18 commissioner of general services, and the New York state urban develop-  
19 ment corporation, doing business as the empire state development corpo-  
20 ration, dated December 13, 2002 and recorded July 10, 2003 as CRFN  
21 2003000222170; and that certain Indenture made the 20th day of December,  
22 1977 by The New York state urban development corporation and The city of  
23 New York recorded on 12/23/77 in Reel 422 page 1084.

24 § 3. The description in section two of this act is not intended to be  
25 a legal description but is intended to identify the parcel to be  
26 conveyed. As a condition of the purchase, the urban development corpo-  
27 ration may submit to the commissioner of general services for her  
28 approval an accurate survey and description of the lands to be conveyed,  
29 which may be used in the conveyance thereof.

30 § 4. The commissioner of general services shall not transfer or convey  
31 the aforesaid lands and improvements unless an application is made by  
32 the urban development corporation within one year of the effective date  
33 of this act. Such application shall be in the form of a resolution  
34 setting forth a comprehensive statement approved by the board of the  
35 urban development corporation acknowledging and accepting the use  
36 restrictions set forth in section five of this act. The commissioner of  
37 general services and the president of the urban development corporation  
38 are hereby empowered to effect the transfer and conveyance and do all  
39 things necessary to carry out the purposes and provisions of this act.

40 § 5. The aforesaid land and improvements shall be used and improved  
41 for the purposes of, the National Urban League headquarters, including a  
42 conference center, a civil rights museum, retail and office space and  
43 approximately one hundred seventy units of affordable housing, and  
44 accessory uses as described in the general project plan prepared by the  
45 urban development corporation in accordance with the urban development  
46 corporation act, including any amendments or modifications thereto, and  
47 upon termination of a required use, the commissioner of general services  
48 may request that the attorney general institute an action in the supreme  
49 court for a judgment declaring a reversion of such title in the people  
50 of the state of New York to all or any portion of the land and improve-  
51 ments not in compliance with the aforesaid use restrictions. In the  
52 event of termination of any such required use or uses during the term of  
53 the conveyance instrument, between said corporation and the entity or  
54 entities engaged to construct and maintain the improvements, the urban

1 development corporation shall, consistent with the terms and conditions  
2 of the instrument of conveyance, provide written notice to the commis-  
3 sioner of general services, within one hundred eighty days of such  
4 termination of use. In lieu of an action seeking a judgment declaring a  
5 reversion of title as aforesaid, the owner of the land and improvements  
6 not in compliance with the use restriction, may purchase the reverter  
7 interest from the people of the state of New York at the current fair  
8 market value thereof, as determined by independent certified appraisal  
9 or appraisals.

10 § 6. This act shall take effect immediately and the authority of the  
11 commissioner of general services to transfer and convey the aforesaid  
12 lands and improvements pursuant to this act shall expire two years after  
13 such effective date.