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:

Section 1. Notwithstanding any inconsistent provision of law to the contrary, the commissioner of general services is authorized to transfer and convey to the urban development corporation the remaining right, title, and interest of the people of the state of New York in the lands and improvements located at 121 West 125th Street and further described 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 commissioner of general services may fix and determine.

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

Parcel 1

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

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

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

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

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(2) thence running in a northerly direction parallel to the Westerly side of Lenox Avenue, 199 feet 10 inches to the southerly side of West 126th Street;
(3) thence running easterly along the southerly side of West 126th Street 210 feet to a point;
(4) thence running in a southerly direction, parallel to the westerly side of Lenox Avenue 199 feet, 10 inches to the point of beginning.

Parcel 2

All that certain volume of space which lies above a horizontal plane (the "Limiting Plane") drawn at elevation 80.20 feet and intersecting the vertical planes determined by the above-described boundaries of the Premises; the elevation of the Limiting Plane being that in the System known as the Borough Works Datum of the Borough of Manhattan which designates as zero an elevation which is 2.75 feet above mean sea level at Sandy Hook, New Jersey.
SUBJECT to that certain Easement Agreement and Declaration made by and between the people of the state of New York, acting by and through the commissioner of general services, and the New York state urban development corporation, doing business as the empire state development corporation, dated December 13, 2002 and recorded July 10, 2003 as CRFN 2003000222170; and that certain Indenture made the 20th day of December, 1977 by The New York state urban development corporation and The city of New York recorded on 12/23/77 in Reel 422 page 1084.
§ 3. The description in section two of this act is not intended to be a legal description but is intended to identify the parcel to be conveyed. As a condition of the purchase, the urban development corporation may submit to the commissioner of general services for her approval an accurate survey and description of the lands to be conveyed, which may be used in the conveyance thereof.
§ 4. The commissioner of general services shall not transfer or convey the aforesaid lands and improvements unless an application is made by the urban development corporation within one year of the effective date of this act. Such application shall be in the form of a resolution setting forth a comprehensive statement approved by the board of the urban development corporation acknowledging and accepting the use restrictions set forth in section five of this act. The commissioner of general services and the president of the urban development corporation are hereby empowered to effect the transfer and conveyance and do all things necessary to carry out the purposes and provisions of this act.
§ 5. The aforesaid land and improvements shall be used and improved for the purposes of, the National Urban League headquarters, including a conference center, a civil rights museum, retail and office space and approximately one hundred seventy units of affordable housing, and accessory uses as described in the general project plan prepared by the urban development corporation in accordance with the urban development corporation act, including any amendments or modifications thereto, and upon termination of a required use, the commissioner of general services may request that the attorney general institute an action in the supreme court for a judgment declaring a revesting of such title in the people of the state of New York to all or any portion of the land and improvements not in compliance with the aforesaid use restrictions. In the event of termination of any such required use or uses during the term of the conveyance instrument, between said corporation and the entity or entities engaged to construct and maintain the improvements, the urban

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

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