

# STATE OF NEW YORK

6442

2019-2020 Regular Sessions

## IN SENATE

June 11, 2019

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend chapter 239 of the laws of 1995, relating to authorizing the city of New York to sell waterfront property including the land under water appurtenant thereto owned by or which may be acquired in the future by such city in the lands known as Broad channel in the borough of Queens, in relation to sale of certain land

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

1 Section 1. Sections 1, 2, 3 and 4 of chapter 239 of the laws of 1995,  
2 relating to authorizing the city of New York to sell waterfront property  
3 including the land under water appurtenant thereto owned by or which may  
4 be acquired in the future by such city in the lands known as Broad chan-  
5 nel in the borough of Queens, sections 2 and 3 as amended by chapter 177  
6 of the laws of 2000, are amended to read as follows:

7 Section 1. Notwithstanding any inconsistent provisions of section 20  
8 of the general city law or section 383 of the New York city charter  
9 restricting the alienation of waterfront property and land under water,  
10 the city of New York is hereby authorized to sell and convey all or any  
11 part of the right, title, and interest which the city now has or which  
12 it may hereafter acquire by virtue of in rem tax foreclosure proceedings  
13 in the lands known as "Broad channel" [~~, tax blocks 15300 through and~~  
14 ~~including tax block 15500 on the tax map of the city of New York for the~~  
15 ~~borough of Queens]~~ as defined in section three of this act.

16 Except as otherwise provided in [~~sections~~] section two [~~and three~~] of  
17 this act, the sale of such lands shall be subject to section 384 of the  
18 New York city charter.

19 § 2. [~~Notwithstanding any inconsistent provision of section 384 of the~~  
20 ~~New York city charter and subject to review pursuant to sections 197-c~~  
21 ~~and 197-d of the New York city charter, for a period of six years after~~  
22 ~~the effective date of this act, the mayor of such city may authorize the~~

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

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~~sale, without competitive bidding and for such consideration and upon such terms and conditions as shall be determined by the mayor of such city, of the city's right, title, and interest in any parcel or parcels of the property described in section one of this act which on August 19, 1982 was subject to a leasehold: (i) to a person who was the lessee of such parcel on such date or his or her heirs, successors or assigns ("lessee"), or (ii) if the lessee cannot be located, to the owner of the improvements situated on such parcel who would otherwise qualify to be a tenant of the city for such property at the time of sale ("owner of improvements"), or (iii) if the lessee and owner of improvements cannot be located, to an occupant in possession of such parcel who would otherwise qualify to be a tenant of the city for such property at the time of the sale of said parcel pursuant to this section.~~

~~§ 3.~~ Notwithstanding any inconsistent provision of section 384 of the New York city charter and subject to review pursuant to sections 197-c and 197-d of the New York city charter, ~~[for a period of six years after the effective date of this act,~~ and for a period of five years after the effective date of the chapter of the laws of 2019 which amended this section, the mayor of such city may authorize the sale of the city's right, title, and interest in any parcel or parcels of the property described in section ~~[one]~~ three of this act which is adjacent to a privately owned parcel, without competitive bidding and for such consideration and upon such terms and conditions as shall be determined by the mayor of such city, to the owner of such privately owned parcel, provided that (i) if the privately owned parcel was purchased from the municipality prior to the effective date of this act, the adjoining parcel shall not exceed three thousand square feet, or (ii) if the privately owned parcel was purchased from the municipality after the effective date of this act, the adjoining parcel shall not exceed the area of privately owned parcel which was or is being purchased.

§ 3. The lands authorized by this act to be sold and conveyed are as follows:

All that certain tract or parcel of land, located in the beds of East 12th Road and Church Road, in the Borough of Queens, City and State of New York, bounded and more particularly described as follows:

BEGINNING at a point in the southerly line and the southwest corner of Lot 49 in Block 15475 and whose New York LI ZONE 3104 NAD83 State Plane Coordinates are North 159,520.3753 and East 1,034,425.6366 (US Survey Feet), said point being located the following two courses from the intersection of the easterly line of Cross Bay Boulevard (110.00 feet wide) with the southerly line of East 12th Road;

A. Along the southerly line of East 12th Road, South 83 Degrees 25 Minutes 00 Seconds East (calculated), 93.67 feet (calculated) to a point and thence,

B. North 06 Degrees 35 Minutes 00 Seconds East (calculated), 18.00 feet (calculated) to the point or place of beginning and running; thence

1. Along the southerly line of Lot 49 in Block 15475, South 83 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 34.00 feet (Deed and Tax Map) to a point on the easterly line of Lot 49 in Block 15475; thence

2. Along the easterly line of Lot 49 in Block 15475, North 6 Degrees 35 Minutes 00 Seconds East (calculated) a distance of 12.00 feet (Deed and Tax Map) to a point on the southerly line of Lot 1 in Block 15475, said point also being on the northerly side of East 12th Road; thence

3. Along the northerly side of East 12th Road, South 83 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 247.33 feet (calcu-

lated) to a point on the westerly side of Church Road, said point being the southeast corner of Lot 1 in Block 15476; thence

4. Along the westerly side of Church Road also being the easterly line of Lot 1 in Block 15476, North 6 Degrees 35 Minutes 00 Seconds East (calculated) a distance of 189.84 feet (calculated) to a point on the High Water Line (as shown on the Tax Map Sheet 22 Dated 01/01/1967), said line being also the southerly line of Lot 500 in Block 15500; thence

Along the High Water Line (as shown on the Tax Map Sheet 22 Dated 01/01/1967) being also the southerly line of Lot 500 in Block 15500 and the northerly limit of Church Road, the following four courses:

5. South 1 Degrees 24 Minutes 11 Seconds West (calculated) a distance of 14.68 feet (calculated) to a point; thence

6. South 17 Degrees 56 Minutes 54 Seconds East (calculated) a distance of 5.82 feet (calculated) to a point; thence

7. South 45 Degrees 51 Minutes 08 Seconds East (calculated) a distance of 12.32 feet (calculated) to a point; thence

8. South 49 Degrees 43 Minutes 29 Seconds East (calculated) a distance of 13.81 feet (calculated) to a point on the westerly line of Lot 300 in Block 15500; thence

9. Along the westerly line of Lot 300 in block 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 28.36 feet (calculated) to a point on the southerly line of Lot 300 in Block 15500; thence

10. Along the southerly line of Lot 300 in Block 1500, South 83 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 5.00 feet (Calculated) to a point on the westerly line of Lot 27 in Block 15500; thence

11. Along the westerly line of Lots 27 and 500 in Block 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 50.49 feet (Deed and Tax Map) to a point on the northerly line of Lot 25 in Block 15500; thence

12. Along the northerly line of Lot 25 in Block 15500, North 83 Degrees 25 Minutes 00 Seconds West (calculated) a distance of 10.00 feet (Deed and Tax Map) to a point on the westerly line of Lot 25 in Block 15500; thence

13. Along the westerly line of Lot 25 in Block 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 12.63 feet (Deed and Tax Map) to a point on the southerly line of Lot 25 in Block 15500; thence

14. Along the southerly line of Lot 25 in Block 15500, South 83 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 10.00 feet (Deed and Tax Map) to a point on the westerly line of Lot 24 in Block 15500; thence

15. Along the westerly line of Lot 24 in Block 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 37.88 feet (Deed and Tax Map) to a point on the northerly line of Lot 23 in Block 15500; thence

16. Along the northerly line of Lot 23 in Block 15500, North 83 Degrees 25 Minutes 00 Seconds West (calculated) a distance of 10.00 feet (Deed) to a point on the westerly line of Lot 23 in Block 15500; thence

17. Along the westerly line of Lots 23, 21, 20, 19 and 18 in Block 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 168.25 feet (Deed and Tax Map) to the southwest corner of Lot 18 in Block 15500; thence

1 18. Westerly and thru Church Road, North 83 Degrees 25 Minutes 00  
2 Seconds West (calculated) a distance of 20.00 feet (calculated) to a  
3 point on the westerly side of Church Road; thence

4 19. Along the westerly side of Church Road North 6 Degrees, 35 Minutes  
5 00 Seconds East (calculated) a distance of 112.87 feet (calculated) to a  
6 point on the southerly side of East 12th Road; thence

7 20. Along the southerly side of East 12th Road, North 83 Degrees 25  
8 Minutes 00 Seconds West (calculated) a distance of 281.33 feet (calcu-  
9 lated) to a point on the northerly side of Lot 23 in Block 15477; thence

10 21. Northerly and thru East 12th Road, North 6 Degrees 35 Minutes 00  
11 Seconds East (calculated) a distance of 18.00 feet (calculated) to the  
12 POINT and PLACE OF BEGINNING.

13 Containing an area of 15,245 square feet or 1.070 acres of land, more  
14 or less.

15 § 4. Any proposed sale pursuant to [~~section one, two or three of~~] this  
16 act shall be reviewed, where required by law, for consistency with any  
17 waterfront revitalization program, including the public access policies  
18 thereof, adopted by the city pursuant to section 915 of the executive  
19 law.

20 § 2. This act shall take effect immediately.