

# STATE OF NEW YORK

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8238

2019-2020 Regular Sessions

## IN ASSEMBLY

June 10, 2019

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Introduced by M. of A. PHEFFER AMATO -- read once and referred to the  
Committee on Cities

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 Assem-  
bly, 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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1 sale, without competitive bidding and for such consideration and upon  
2 such terms and conditions as shall be determined by the mayor of such  
3 city, of the city's right, title, and interest in any parcel or parcels  
4 of the property described in section one of this act which on August 19,  
5 1982 was subject to a leasehold: (i) to a person who was the lessee of  
6 such parcel on such date or his or her heirs, successors or assigns  
7 ("lessee"), or (ii) if the lessee cannot be located, to the owner of the  
8 improvements situated on such parcel who would otherwise qualify to be a  
9 tenant of the city for such property at the time of sale ("owner of  
10 improvements"), or (iii) if the lessee and owner of improvements cannot  
11 be located, to an occupant in possession of such parcel who would other-  
12 wise qualify to be a tenant of the city for such property at the time of  
13 the sale of said parcel pursuant to this section.

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

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

33 All that certain tract or parcel of land, located in the beds of East  
34 12th Road and Church Road, in the Borough of Queens, City and State of  
35 New York, bounded and more particularly described as follows:

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

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

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

47 1. Along the southerly line of Lot 49 in Block 15475, South 83 Degrees  
48 25 Minutes 00 Seconds East (calculated) a distance of 34.00 feet (Deed  
49 and Tax Map) to a point on the easterly line of Lot 49 in Block 15475;  
50 thence

51 2. Along the easterly line of Lot 49 in Block 15475, North 6 Degrees  
52 35 Minutes 00 Seconds East (calculated) a distance of 12.00 feet (Deed  
53 and Tax Map) to a point on the southerly line of Lot 1 in Block 15475,  
54 said point also being on the northerly side of East 12th Road; thence

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

1 lated) to a point on the westerly side of Church Road, said point being  
2 the southeast corner of Lot 1 in Block 15476; thence  
3 4. Along the westerly side of Church Road also being the easterly line  
4 of Lot 1 in Block 15476, North 6 Degrees 35 Minutes 00 Seconds East  
5 (calculated) a distance of 189.84 feet (calculated) to a point on the  
6 High Water Line (as shown on the Tax Map Sheet 22 Dated 01/01/1967),  
7 said line being also the southerly line of Lot 500 in Block 15500;  
8 thence  
9 Along the High Water Line (as shown on the Tax Map Sheet 22 Dated  
10 01/01/1967) being also the southerly line of Lot 500 in Block 15500 and  
11 the northerly limit of Church Road, the following four courses:  
12 5. South 1 Degrees 24 Minutes 11 Seconds West (calculated) a distance  
13 of 14.68 feet (calculated) to a point; thence  
14 6. South 17 Degrees 56 Minutes 54 Seconds East (calculated) a distance  
15 of 5.82 feet (calculated) to a point; thence  
16 7. South 45 Degrees 51 Minutes 08 Seconds East (calculated) a distance  
17 of 12.32 feet (calculated) to a point; thence  
18 8. South 49 Degrees 43 Minutes 29 Seconds East (calculated) a distance  
19 of 13.81 feet (calculated) to a point on the westerly line of Lot 300 in  
20 Block 15500; thence  
21 9. Along the westerly line of Lot 300 in block 15500, South 6 Degrees  
22 35 Minutes 00 Seconds West (calculated) a distance of 28.36 feet (calcu-  
23 lated) to a point on the southerly line of Lot 300 in Block 15500;  
24 thence  
25 10. Along the southerly line of Lot 300 in Block 1500, South 83  
26 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 5.00 feet  
27 (Calculated) to a point on the westerly line of Lot 27 in Block 15500;  
28 thence  
29 11. Along the westerly line of Lots 27 and 500 in Block 15500, South 6  
30 Degrees 35 Minutes 00 Seconds West (calculated) a distance of 50.49 feet  
31 (Deed and Tax Map) to a point on the northerly line of Lot 25 in Block  
32 15500; thence  
33 12. Along the northerly line of Lot 25 in Block 15500, North 83  
34 Degrees 25 Minutes 00 Seconds West (calculated) a distance of 10.00 feet  
35 (Deed and Tax Map) to a point on the westerly line of Lot 25 in Block  
36 15500; thence  
37 13. Along the westerly line of Lot 25 in Block 15500, South 6 Degrees  
38 35 Minutes 00 Seconds West (calculated) a distance of 12.63 feet (Deed  
39 and Tax Map) to a point on the southerly line of Lot 25 in Block 15500;  
40 thence  
41 14. Along the southerly line of Lot 25 in Block 15500, South 83  
42 Degrees 25 Minutes 00 Seconds East (calculated) a distance of 10.00 feet  
43 (Deed and Tax Map) to a point on the westerly line of Lot 24 in Block  
44 15500; thence  
45 15. Along the westerly line of Lot 24 in Block 15500, South 6 Degrees  
46 35 Minutes 00 Seconds West (calculated) a distance of 37.88 feet (Deed  
47 and Tax Map) to a point on the northerly line of Lot 23 in Block 15500;  
48 thence  
49 16. Along the northerly line of Lot 23 in Block 15500, North 83  
50 Degrees 25 Minutes 00 Seconds West (calculated) a distance of 10.00 feet  
51 (Deed) to a point on the westerly line of Lot 23 in Block 15500; thence  
52 17. Along the westerly line of Lots 23, 21, 20, 19 and 18 in Block  
53 15500, South 6 Degrees 35 Minutes 00 Seconds West (calculated) a  
54 distance of 168.25 feet (Deed and Tax Map) to the southwest corner of  
55 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.

