

## STATE OF NEW YORK

S. 7617

A. 10586

## SENATE - ASSEMBLY

June 7, 2012

IN SENATE -- Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. Millman) -- read once and referred to the Committee on Cities

AN ACT authorizing and validating the alienation of certain parkland known as Empire Fulton Ferry state park in accordance with letters patent dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development Corporation and master ground lease agreement dated as of July 29, 2010 for a term of 99 years to the Brooklyn Bridge Park Corporation providing for the use of such land as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project

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

1 Section 1. Notwithstanding any other provision of law to the contrary,  
2 but subject to this act, the alienation and conveyance of the park land  
3 described in section six of this act, formerly known as Empire Fulton  
4 Ferry state park, in accordance with the terms and conditions of letters  
5 patent dated July 8, 2010 from the office of general services to the  
6 Brooklyn Bridge Park Development Corporation (BBPDC) and master ground  
7 lease agreement dated as of July 29, 2010 for a term of 99 years between  
8 the BBPDC and the Brooklyn Bridge Park Corporation (BBPC) and all acts  
9 of the office of parks, recreation and historic preservation, the office  
10 of general services, the New York State Urban Development Corporation,  
11 BBPDC and BBPC in relation thereto are hereby authorized and validated,  
12 notwithstanding the absence of prior legislative approval to the extent  
13 required.

14 § 2. Subject to the provisions of this act, the Brooklyn Bridge Park  
15 Development Corporation and/or the Brooklyn Bridge Park Corporation is  
16 authorized to alienate and discontinue the park land described as Parcel  
17 B in section six of this act and Parcel B may be improved, constructed,  
18 reconstructed, used, leased, or otherwise transferred for such purposes  
19 as are consistent with the Brooklyn Civic and Land Use Improvement

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

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1 Project General Project Plan, as such Plan may be modified in accordance  
2 with the requirements of such Plan. Provided that the lands described in  
3 section six of this act as Parcel A shall be used only for park and  
4 recreation purposes as a part of the Brooklyn Bridge Park.

5 § 3. The authorization provided in section two of this act shall be  
6 subject to the requirement that the city of New York dedicate the land  
7 described in section seven of this act as park land. In the event the  
8 lands described in section seven of this act are not equal to or greater  
9 than the fair market value of the lands being alienated by this act, the  
10 city of New York shall dedicate the difference between the fair market  
11 value of the lands being alienated by this act and the replacement lands  
12 towards the acquisition of additional park land and/or improvements to  
13 existing park land in the borough of Brooklyn.

14 § 4. With respect to the lands described in section six of this act as  
15 Parcel B, to which certain outdoor recreational restrictions currently  
16 apply as a condition of funding under the federal land and water conser-  
17 vation fund act, which funding was previously expended for outdoor  
18 recreation improvements at the former Empire Fulton Ferry state park  
19 property by the office of parks, recreation and historic preservation,  
20 the discontinuance of Parcel B as park land as authorized by section two  
21 of this act shall not occur until the National Park Service has approved  
22 a conversion of such park land under such federal land and water conser-  
23 vation fund act, including satisfying the National Park Service that the  
24 conversion complies with all conditions that the National Park Service  
25 deems necessary to assure the lands to be substituted shall be equiv-  
26 alent in fair market value and usefulness to the lands being discontin-  
27 ued as outdoor recreation land.

28 § 5. The lands described in section seven of this act shall be used  
29 for park and recreation purposes as a part of the Brooklyn Bridge Park  
30 within the time required by the National Park Service for the completion  
31 of the conversion under the federal land and water conservation fund act  
32 and at such time shall be deemed to be dedicated for park and recreation  
33 purposes without further action.

34 § 6. The existing park land subject to the provisions of this act  
35 consists of Parcels A and B as described below. The land authorized by  
36 this act to be alienated and discontinued as park land consists of  
37 Parcel B as described below.

38 Parcel A

39 ALL those certain plots, pieces or parcels of land with the buildings  
40 and improvements thereon erected, situate, lying and being in the  
41 Borough of Brooklyn, County of Kings, City and State of New York, bound-  
42 ed and described as follows:

43 Beginning at a point on the easterly side of New Dock Street, being  
44 208 feet 6 inches northerly from the corner formed by the intersection  
45 of the northerly side of Water Street with the easterly side of New Dock  
46 Street; running thence easterly along the northerly side of a two story  
47 brick building and continuing to and along the northerly side of a four  
48 story brick building and a five story brick building a total distance of  
49 692 feet 5 1/4 inches to a point on the westerly side of Main Street  
50 which is distant 190 feet 2 inches northerly from the corner formed by  
51 the intersection of the northerly side of Water Street with the westerly  
52 side of Main Street, as measured along the westerly side of Main Street;  
53 thence northerly along the westerly side of Main Street and the westerly  
54 side of Main Street if extended to the East River, 478 feet 8-3/4 inches  
55 to the pierhead line of the East River, established in 1857; thence  
56 southwesterly along the said pierhead line, 825 feet 2-3/8 inches to the

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1 easterly side of New Dock Street; thence southerly along the easterly  
2 side of New Dock Street, 260 feet 9 3/4 inches to the corner, at the  
3 point or place of beginning; comprising approximately 6.408 acres.

4 Parcel B

5 ALL those certain plots, pieces or parcels of land with the buildings  
6 and improvements thereon erected, situate, lying and being in the  
7 Borough of Brooklyn, County of Kings, City and State of New York, bound-  
8 ed and described as follows:

9 Beginning at a point on the easterly side of New Dock Street, being  
10 208 feet 6 inches northerly from the corner formed by the intersection  
11 of the northerly side of Water Street with the easterly side of New Dock  
12 Street; running thence easterly along the northerly side of a two story  
13 brick building and continuing to and along the northerly side of a four  
14 story brick building and a five story brick building a total distance of  
15 692 feet 5 1/4 inches to a point on the westerly side of Main Street  
16 which is distant 190 feet 2 inches northerly from the corner formed by  
17 the intersection of the northerly side of Water Street with the westerly  
18 side of Main Street, as measured along the westerly side of Main Street;  
19 thence southerly along the westerly side of said Main Street 129 feet 11  
20 inches to a point thereon which is distant 60 feet 3 inches northerly  
21 from the corner formed by the intersection of the northerly side of  
22 Water Street with the westerly side of Main Street; thence westerly on a  
23 line forming an interior angle of 89 degrees 36 minutes 40 seconds with  
24 the westerly side of Main Street, 88 feet; thence southerly parallel  
25 with the westerly side of Main Street, 10 feet; thence westerly parallel  
26 with the northerly side of Water Street, 24 feet 8 inches; thence south-  
27 erly on a line forming an interior angle of 89 degrees 32 minutes 30  
28 seconds with the northerly side of Water Street, 50 feet to the norther-  
29 ly side of Water Street; thence westerly along the northerly side of  
30 Water Street 487 feet to the intersection of the northerly side of Water  
31 Street with the easterly side of New Dock Street; thence northerly along  
32 the easterly side of New Dock Street 208 feet 6 inches to the point or  
33 place of beginning; comprising approximately 2.651 acres.

34 § 7. The replacement land required by this act to be added to the  
35 Brooklyn Bridge Park and used only for park and recreation purposes is  
36 described as follows:

37 Parcel 1 (Lot 21, Block 7)

38 ALL that certain plat, piece or parcel of land with buildings and  
39 improvements thereon, erected, situate, lying and being in the Borough  
40 of Brooklyn, County of Kings, City and State of New York, more partic-  
41 ularly bounded and described as follows:

42 Beginning at a point where the northerly line of Plymouth Street, 40  
43 foot wide, intersects the easterly line of Washington Street, 60 foot  
44 wide; and from said beginning point running, thence along said easterly  
45 line of Washington Street and a portion of Lot 1, Block 7, now or  
46 formerly reputed owner the City of New York, north 02 degrees - 37  
47 minutes - 18 seconds east, a distance of 213.24 feet to a point; thence  
48 along the dividing line between Lot 21 and Lot 1, Block 7, south 23  
49 degrees - 00 minutes - 05 seconds east, a distance of 236.45 feet to a  
50 point on the aforementioned northerly line of Plymouth Street; thence  
51 along said northerly line, north 87 degrees - 24 minutes - 17 seconds  
52 west, a distance of 102.25 feet to the point and place of beginning;  
53 comprising approximately 0.250 acres.

54 Parcel 2 (Portion of Washington Street)

55 All that certain plat, piece or parcel of land with buildings and  
56 improvements thereon, erected, situate, lying and being in the Borough

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1 of Brooklyn, County of Kings, City and State of New York, more partic-  
2 ularly bounded and described as follows:

3 Beginning at a point where the easterly line of Washington Street, 60  
4 foot wide, intersects the northerly line of Plymouth Street, 40 foot  
5 wide; and from said beginning point running, thence along said northerly  
6 line of Plymouth Street, north 87 degrees - 24 minutes - 17 seconds  
7 west, a distance of 60.00 feet to a point; thence along the westerly  
8 line of Washington Street, north 02 degrees - 37 minutes - 18 seconds  
9 east, a distance of 200.00 feet to a point; thence along the northerly  
10 terminus of Washington street, south 87 degrees - 24 minutes - 17  
11 seconds east, a distance of 60.00 feet to a point; thence along the  
12 aforementioned easterly line of Washington Street, south 02 degrees - 37  
13 minutes - 18 seconds west, a distance of 200.00 feet to the point and  
14 place of beginning; comprising approximately 0.275 acres.

15 Parcel 3 (portion of Lot 1, Block 7)

16 ALL that certain plat, piece or parcel of land with buildings and  
17 improvements thereon, erected, situate, lying and being in the Borough  
18 of Brooklyn, County of Kings, City and State of New York, more partic-  
19 ularly bounded and described as follows:

20 Beginning at a point on the northerly line of Plymouth Street, 40 foot  
21 wide, said point being south 87 degrees - 24 minutes - 17 seconds east,  
22 a distance of 102.25 feet as measured along said northerly line of  
23 Plymouth Street from its intersection with the easterly line of Washing-  
24 ton Street, 60 foot wide; and from said beginning point running, thence  
25 along the dividing line between Lot 1 and Lot 21, Block 7, north 23  
26 degrees - 00 minutes - 05 seconds west, a distance of 126.21 feet to a  
27 point; thence the following six (6) courses through the bounds of Lot 1,  
28 Block 7, now or formerly reputed owner the City of New York:

29 Along the existing northerly line of a one story masonry building and  
30 the northerly face of concrete wall, north 66 degrees - 50 minutes - 39  
31 seconds east, a distance of 96.97 feet to a point; thence continuing  
32 along the northerly face of said concrete wall, north 71 degrees - 04  
33 minutes - 57 seconds east, a distance of 20.79 feet to a point of curva-  
34 ture; thence continuing along the northerly and easterly face of said  
35 concrete wall, along a curve to the right, having a radius of 8.73 feet,  
36 turning a central angle of 65 degrees - 00 minutes - 10 seconds, an arc  
37 length of 9.91 feet, the chord of which bears south 73 degrees - 21  
38 minutes - 49 seconds east, a chord distance of 9.39 feet to a point of  
39 compound curvature; thence continuing along the easterly face of said  
40 concrete wall, along a curve to the right, having a radius of 50.50  
41 feet, turning a central angle of 33 degrees - 25 minutes - 11 seconds,  
42 an arc length of 29.46 feet, the chord of which bears south 24 degrees -  
43 09 minutes - 09 seconds east, a chord distance of 29.04 feet to a point  
44 of tangency; thence continuing along the same, south 03 degrees - 57  
45 minutes - 58 seconds east, a distance of 25.10 feet to a point; thence  
46 continuing along the same, south 02 degrees - 36 minutes - 21 seconds  
47 west, a distance of 110.43 feet to a point on the aforementioned north-  
48 erly line of Plymouth Street; thence along said northerly line, north 87  
49 degrees - 24 minutes - 17 seconds west, a distance of 77.18 feet to the  
50 point and place of beginning; comprising approximately 0.358 acres.

51 § 8. This act shall take effect immediately.

**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S7617

**SPONSOR:** SQUADRON

**TITLE OF BILL:**

An act authorizing and validating the alienation of certain parkland known as Empire Fulton Ferry state park in accordance with letters patent dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development Corporation and master ground lease agreement dated as of July 29, 2010 for a term of 99 years to the Brooklyn Bridge Park Corporation providing for the use of such land as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project

**PURPOSE OR GENERAL IDEA OF BILL:**

To validate and authorize the alienation and conveyance of state owned parkland formerly known as the Empire Fulton Ferry State Park in accordance with the terms of letters patent dated July 8, 2010 and master ground lease dated as of July 29, 2010, which provide for the continuation as dedicated parkland of a portion of such parkland, delineated as Parcel A, and authorize the discontinuance as parkland of the remaining portion of such parkland, delineated as Parcel B, which contains buildings known as the Tobacco Warehouse and the Empire Stores, and to provide for the replacement of the discontinued parkland with new parkland of equal or greater fair market value.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section 1 validates and authorizes the alienation and conveyance of state-owned parkland formerly known as the Empire Fulton Ferry State Park in accordance with the terms of letters patent dated July 8, 2010 which conveyed the former state park from the New York State Office of General Services to the Brooklyn Bridge Park Development Corporation (the "BBPDC") and authorized the discontinuance of a portion of the former state park as parkland, and in accordance with the terms of a 99-year master ground lease dated as of July 29, 2010, in which the BBPDC leased the properties comprising Brooklyn Bridge Park, which include the former state park, to the Brooklyn Bridge Park Corporation (the "BBPC") to enable BBPC to assume responsibility for development and operation of Brooklyn Bridge Park.

Section 2 authorizes BBPDC and/or BBPC to alienate the portion of the former Empire Fulton Ferry State Park delineated as Parcel B and to use Parcel B in any manner consistent with the General Project Plan for the Brooklyn Bridge Park Civic and Land Use Improvement Project (the "GPP"). Section 2 also provides that the remaining portion of the former Empire Fulton Ferry State Park delineated as Parcel A be used for park and recreation purposes as part of Brooklyn Bridge Park.

Section 3 makes the alienation of Parcel B authorized by section 2 subject to the City of New York dedicating the land described in section 7 as parkland and provides that if the fair market value of the replace-

ment parkland is not equal to or greater than fair market value of Parcel B, the City of New York must acquire additional parkland or improve existing parkland in Brooklyn to make up the shortfall in fair market value.

Section 4 provides that the discontinuance of Parcel B as parkland authorized by section 2 shall not occur until the National Park Service has approved a conversion of Parcel B pursuant to the federal Land and Water Conservation Fund Act.

Section 5 provides that the replacement parkland shall be used and dedicated for park and recreation purposes as part of Brooklyn Bridge Park consistent with the timeframe for completion of the conversion process required by the National Park Service under the federal Land and Water Conservation Fund Act.

Section 6 identifies the metes and bounds of the land conveyed in the letters patent and the land be discontinued as parkland. The metes and bounds of these parcels are identical to the metes and bounds of Parcels A and Parcel B as described in the July 8, 2010 letters patent referred to in section 1.

Section 7 identifies the metes and bounds of the replacement land to be used for park and recreation purposes as part of Brooklyn Bridge Park in accordance with section 4, above.

Section 8 provides that this act shall take effect immediately.

**JUSTIFICATION:**

The continued development of the Brooklyn Bridge Park into a unified vibrant waterfront park has been jeopardized by a recent state Supreme Court decision (Brooklyn Heights Ass'n, et al. v. New York State Office of Parks, Recreation and Historic Preservation, et al., Index No. 1120/11 (Sup. Ct. Kings County Dec. 14, 2011) calling into question transactions under which jurisdiction over the former Empire Fulton Ferry State Park (the "EFFSP") was transferred from the state to the Brooklyn Bridge Park Corporation as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project (the "BBP Project"). These transactions confirmed that part of the transferred land would continue to be used as parkland as part of Brooklyn Bridge Park and permitted the remaining part of the transferred land to be discontinued as parkland so that historic civil war era structures on that land, known as the Tobacco Warehouse and the Empire Stores, could be adaptively reused to ensure the long-term preservation of these structures and in the case of the Empire Stores, to provide revenue critical for the future operation and maintenance of Brooklyn Bridge Park. The enactment of this legislation will authorize and validate the transactions that included the former EFFSP as an integral part of the Brooklyn Bridge Park and allow the Tobacco Warehouse and the Empire Stores to be preserved and adaptively reused as planned to further the long term goals of the BBP Project OPP. Once rehabilitated in accordance with the OPP and historic preservation requirements, revenue from the Empire Stores is expected to cover approximately 5 percent of Brooklyn Bridge Park's total operation and maintenance budget after all phases of construction are completed and approximately 10 percent of the operation and maintenance costs of the currently funded portion of the Park. Unless this legislation is enacted, both structures will continue to deteriorate until they can no longer be saved. Empire Stores is currently in extreme disrepair and closed to the public. The Tobacco Warehouse's roof and upper walls collapsed in the past and the emergency stabilization work on its walls

that was completed a decade ago will not preserve the structure into the future. Brooklyn Bridge Park does not have money to fund the significant cost of rehabilitating and redeveloping these structures. Unless the parkland restrictions on these historic buildings is lifted, non-public funding will not be available to allow development of the buildings in a manner that respects their historic features and to protect these historic structures into the future. Enactment of this legislation will

also return the Brooklyn Bridge Park to unified oversight and management.

The legislation requires replacement of the discontinued parkland with three properties that are not currently used or dedicated for park purposes. These properties are to be used for park and recreational purposes and incorporated into Brooklyn Bridge Park. If the fair market value of these three properties are of not equal or greater value to Parcel B, the parkland to be discontinued, the City of New York will acquire additional property or make improvements to existing parkland in Brooklyn. While the acreage of the replacement properties is less than the acreage of Parcel B, the replacement properties will provide more public space for park and recreation purposes than currently exists in Parcel B because the Empire Stores is, and without this legislation will remain, closed to the public for safety reasons. Excluding Empire Stores, Parcel B contains approximately 34,000 square feet of space. The replacement parcels contain approximately 38,000 square feet of space. The replacement parcels will provide passive and active recreational uses, potentially new public facilities, and additional scenic views that the Parcel B cannot provide given the deteriorated condition of the historic structures.

PRIOR LEGISLATIVE HISTORY:

This is a new bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take immediately.

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**NEW YORK STATE ASSEMBLY**  
**MEMORANDUM IN SUPPORT OF LEGISLATION**  
submitted in accordance with Assembly Rule III, Sec 1(f)

**BILL NUMBER:** A10586

**SPONSOR:** Rules (Millman)

**TITLE OF BILL:** An act authorizing and validating the alienation of certain parkland known as Empire Fulton Ferry state park in accordance with letters patent dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development Corporation and master ground lease agreement dated as of July 29, 2010 for a term of 99 years to the Brooklyn Bridge Park Corporation providing for the use of such land as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project

**PURPOSE OR GENERAL IDEA OF BILL:** To validate and authorize the alienation and conveyance of state owned parkland formerly known as the Empire Fulton Ferry State Park in accordance with the terms of letters patent dated July 8, 2010 and master ground lease dated as of July 29, 2010, which provide for the continuation as dedicated parkland of a portion of such parkland, delineated as Parcel A, and authorize the discontinuance as parkland of the remaining portion of such parkland, delineated as Parcel B, which contains buildings known as the Tobacco Warehouse and the Empire Stores, and to provide for the replacement of the discontinued parkland with new parkland of equal or greater fair market value.

**SUMMARY OF SPECIFIC PROVISIONS:** Section 1 validates and authorizes the alienation and conveyance of state owned parkland formerly known as the Empire Fulton Ferry State Park in accordance with the terms of letters patent dated July 8, 2010 which conveyed the former state park from the New York State Office of General Services to the Brooklyn Bridge Park Development Corporation (the "BBPDC") and authorized the discontinuance of a portion of the former state park as parkland, and in accordance with the terms of a 99-year master ground lease dated as of July 29, 2010, in which the BBPDC leased the properties comprising Brooklyn Bridge Park, which include the former state park, to the Brooklyn Bridge Park Corporation (the "BBPC") to enable BBPC to assume responsibility for development and operation of Brooklyn Bridge Park.

Section 2 authorizes BBPDC and/or BBPC to alienate the portion of the former Empire Fulton Ferry State Park delineated as Parcel B and to use Parcel B in any manner consistent with the General Project Plan for the Brooklyn Bridge Park Civic and Land Use Improvement Project (the "GPP"). Section 2 also provides that the remaining portion of the former Empire Fulton Ferry State Park delineated as Parcel A be used for park and recreation purposes as part of Brooklyn Bridge Park.

Section 3 makes the alienation of Parcel B authorized by section 2 subject to the City of New York dedicating the land described in section 7 as parkland and provides that if the fair market value of the replacement parkland is not equal to or greater than fair market value of Parcel 8, the City of New York must acquire additional parkland or



improve existing parkland in Brooklyn to make up the shortfall in fair market value.

Section 4 provides that the discontinuance of Parcel B as parkland authorized by section 2 shall not occur until the National Park Service has approved a conversion of Parcel B pursuant to the federal Land and Water Conservation Fund Act.

Section 5 provides that the replacement parkland shall be used and dedicated for park and recreation purposes as part of Brooklyn Bridge Park consistent with the timeframe for completion of the conversion process required by the National Park Service under the federal Land and Water Conservation Fund Act.

Section 6 identifies the metes and bounds of the land conveyed in the letters patent and the land be discontinued as parkland. The metes and bounds of these parcels are identical to the metes and bounds of Parcels A and Parcel B as described in the July 8, 2010 letters patent referred to in section 1.

Section 7 identifies the metes and bounds of the replacement land to be used for park and recreation purposes as part of Brooklyn Bridge Park in accordance with section 4, above.

Section 8 provides that this act shall take effect immediately.

**JUSTIFICATION:** The continued development of the Brooklyn Bridge Park into a unified vibrant waterfront park has been jeopardized by a recent state Supreme Court decision (Brooklyn Heights Assn. et al. v. New York State Office of Parks, Recreation and Historic Preservation, et al., Index No. 1120/11 (Sup. Ct. Kings County Dec. 14, 2011)) calling into question transactions under which jurisdiction over the former Empire Fulton Ferry State Park (the "EFFSP") was transferred from the state to the Brooklyn Bridge Park Corporation as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project (the "BBP Project"). These transactions confirmed that part of the transferred land would continue to be used as parkland as part of Brooklyn Bridge Park and permitted the remaining part of the transferred land to be discontinued as parkland so that historic civil war era structures on that land, known as the Tobacco Warehouse and the Empire Stores, could be adaptively reused to ensure the longterm preservation of these structures and in the case of the Empire Stores, to provide revenue critical for the future operation and maintenance of Brooklyn Bridge Park. The enactment of this legislation will authorize and validate the transactions that included the former EFFSP as an integral part of the Brooklyn Bridge Park and allow the Tobacco Warehouse and the Empire Stores to be preserved and adaptively reused as planned to further the long term goals of the BBP Project GPP. Once rehabilitated in accordance with the OPP and historic preservation requirements, revenue from the Empire Stores is expected to cover approximately 5 percent of Brooklyn Bridge Park's total operation and maintenance budget after all phases of construction are completed and approximately 10 percent of the operation and maintenance costs of the currently funded portion of the Park. Unless this legislation is enacted, both structures will continue to deteriorate until they can no longer be saved. Empire Stores is currently in extreme disrepair and closed to the public. The Tobacco Warehouse's roof and upper walls collapsed in the past. and the emergency stabilization work on its walls that was completed a decade ago will not preserve the structure into the

future. Brooklyn Bridge Park does not have money to fund the significant cost of rehabilitating and redeveloping these structures. Unless the parkland restrictions on these historic buildings is lifted, non-public funding will not be available to allow development of the buildings in a manner that respects their historic features and to protect these historic structures into the future. Enactment of this legislation will also return the Brooklyn Bridge Park to unified oversight and management.

The legislation requires replacement of the discontinued parkland with three properties that are not currently used or dedicated for park purposes. These properties are to be used for park and recreational purposes and incorporated into Brooklyn Bridge Park. If the fair market value of these three properties are of not equal or greater value to Parcel B, the parkland to be discontinued, the City of New York will acquire additional property or make improvements to existing parkland in Brooklyn. While the acreage of the replacement properties is less than the acreage of Parcel B, the replacement properties will provide more public space for park and recreation purposes than currently exists in Parcel B because the Empire Stores is, and without this legislation will remain, closed to the public for safety reasons. Excluding Empire Stores, Parcel B contains approximately 34,000 square feet of space. The replacement parcels contain approximately 38,000 square feet of space. The replacement parcels will provide passive and active recreational uses, potentially new public facilities, and additional scenic views that the Parcel B cannot provide given the deteriorated condition of the historic structures.

PRIOR LEGISLATIVE HISTORY: This is a new bill

FISCAL IMPLICATIONS: None

EFFECTIVE DATE: This act shall take immediately.

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