

# STATE OF NEW YORK

6171

2023-2024 Regular Sessions

## IN SENATE

March 31, 2023

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend chapter 470 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station, in relation to making technical amendments thereto

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

1 Section 1. Sections 3 and 4 of chapter 470 of the laws of 2022 author-  
2 izing the city of New York to discontinue the use as parkland of a  
3 portion of real property in the county of New York and to grant ease-  
4 ments to the metropolitan transportation authority so that it may make  
5 handicapped accessible improvements and upgrades to the New York city  
6 transit authority 168 Street transit station, are amended to read as  
7 follows:

8 § 3. The lands hereby authorized by section one of this act to be  
9 discontinued as parkland and granted as a subsurface easement to the  
10 metropolitan transportation authority are located in the city, county  
11 and state of New York in a park known as the Mitchel Square and Broadway  
12 Mall are bounded and described as follows:

13 Permanent subsurface easement 1 at Broadway Mall (Passageway) located  
14 at the center median of Broadway, Borough of Manhattan:

15 Beginning at a point (N=245589.52, E=1000840.51) (NAD83) at the  
16 westerly line of Broadway Mall being situate S.02°57'09"E., 120.86 feet  
17 from the intersection of the westerly street line of Broadway with the  
18 southerly street line of W. 168 Street, running thence,

19 1) S.60°58'46"E. a distance of 15.95 feet to the easterly line of  
20 Broadway Mall, thence,

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

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- 1 2) S.29°01'14"W. along the easterly line of Broadway Mall a distance  
2 of 30.00 feet, thence,  
3 3) N.60°58'46"W. a distance of 15.95 feet to the westerly line of  
4 Broadway Mall, thence  
5 4) N.29°01'14"E. along the westerly line of Broadway Mall a distance  
6 of 30.00 feet to the Point of Beginning.

7 The easement described above begins at an elevation of 167.64  
8 feet (NAVD 1988) and has no lower limit.

9 Said parcel containing 479 square feet of land more or less.

10 Permanent subsurface easement [2] 1 at Mitchel Square (Egress Stairs)  
11 on Tax Lot 65 in Block 2124, Borough of Manhattan:

12 Beginning at a point (N=245537.62, E=1000877.44) (NAD83) at the easterly  
13 street line of Broadway being situate S.14°02'22"E., 177.92 feet from  
14 the intersection of the westerly street line of Broadway with the south-  
15 erly street line of W. 168 Street, running thence,

- 16 1) S.61°17'06"E. a distance of 14.15 feet, thence,  
17 2) S.28°42'54"W. a distance of 14.32 feet, thence,  
18 3) S.61°17'06"E. a distance of 29.75 feet, thence,  
19 4) N.28°42'54"E. a distance of 13.50 feet, thence,  
20 5) S.61°17'06"E. a distance of 12.81 feet to the westerly Street Line  
21 of St. Nicholas Avenue, thence,  
22 6) S.11°34'21"W. along the westerly street line of St. Nicholas Avenue  
23 a distance of 24.13 feet, thence,  
24 7) S.28°42'54"W. a distance of 6.28 feet, thence,  
25 8) N.61°17'06"W. a distance of 61.34 feet to the easterly street line  
26 of Broadway, thence,  
27 9) N.24°00'59"E. along the easterly street line of Broadway a distance  
28 of 30.25 feet to the Point of Beginning.

29 The easement described above begins at an elevation of 167.64  
30 feet (NAVD 1988) and has no lower limit.

31 Said parcel containing 1,362 square feet of land more or less.

32 Permanent subsurface easement [3] 2 at Mitchel Square (Elevator Shaft)  
33 on Tax Lot 65 in Block 2124, Borough of Manhattan:

34 Beginning at a point (N=245530.10, E=1000889.45) (NAD83) being situate  
35 S.17°01'48"E., 188.38 feet from the intersection of the westerly street  
36 line of Broadway with the southerly street line of W. 168 Street,  
37 running thence,

- 38 1) S.61°17'06"E. a distance of 29.75 feet, thence,  
39 2) S.28°42'54"W. a distance of 13.50 feet, thence,  
40 3) N.61°17'06"W. a distance of 29.75 feet, thence,  
41 4) N.28°42'54"E. a distance of 13.50 feet to the Point of  
42 Beginning.

43 The easement described above begins at an elevation of 170.64  
44 feet (NAVD 1988) and has no lower limit.

45 Said parcel containing 402 square feet of land more or less.

46 Permanent subsurface easement [4] 3 at Mitchel Square (Passageway) on  
47 Tax Lot 65 in Block 2124, Borough of Manhattan:

48 Beginning at a point (N=245536.75, E=1000908.37) (NAD83) being situate  
49 S.23°07'39"E., 188.64 feet from the intersection of the westerly street  
50 line of Broadway with the southerly street line of W. 168 Street,  
51 running thence,

- 52 1) S.61°17'06"E. a distance of 24.56 feet to the Westerly Street Line  
53 of St. Nicholas Avenue, thence,  
54 2) S.11°34'21"W. along the westerly Street Line of St. Nicholas Avenue  
55 a distance of 15.61 feet, thence,  
56 3) N.61°17'06"[E] W. a distance of 29.16 feet, thence,

1 4) N.28°42'54"E. a distance of 14.92 feet to the Point of Beginning.  
2 The easement described above begins at an elevation of 167.64  
3 feet(NAVD 1988) and has no lower limit.

4 Said parcel containing 401 square feet of land more or less.

5 § 4. The lands hereby authorized by section one of this act to be  
6 discontinued temporarily as parkland and granted as a temporary easement  
7 to metropolitan transportation authority for use by the New York city  
8 transit authority in connection with the construction of the improve-  
9 ments are located in the city, county and state in New York in parks  
10 known as Mitchel Square and Broadway Mall and are bounded and described  
11 as follows:

12 Temporary easement 1 [~~Passageway~~] (Broadway Mall) at Broadway Mall  
13 located at the center median of Broadway, Borough of Manhattan:

14 Beginning at a point (N=245589.52, E=1000840.51) (NAD83) at the  
15 westerly line of Broadway Mall being situate S.02°57'09"E., 120.86 feet  
16 from the intersection of the westerly street line of Broadway with the  
17 southerly street line of W. 168 Street, running thence,

18 1) S.60°58'46"E. a distance of 15.95 feet to the easterly line of  
19 Broadway Mall, thence,

20 2) S.29°01'14"W. along the easterly line of Broadway Mall a distance  
21 of 30.00 feet, thence,

22 3) N.60°58'46"W. a distance of 15.95 feet to the westerly line of  
23 Broadway Mall, thence,

24 4) N.29°01'14"E. along the westerly line of Broadway Mall a distance  
25 of 30.00 feet to the Point of Beginning.

26 Said parcel containing 479 square feet of land more or less.

27 Temporary easement 2 on Tax Lot 65 in Block 2124, Mitchel Square,  
28 Borough of Manhattan:

29 Beginning at a point (N=245497.23, E=1000859.45) (NAD83) at the east-  
30 erly street line of Broadway being situate S.06°44'20"E., 214.47 feet  
31 from the intersection of the westerly street line of Broadway with the  
32 southerly street line of W. 168 Street, running thence,

33 1) N.24°00'59"E. along the easterly street line of Broadway a distance  
34 of 61.69 feet, thence,

35 2) N.29°01'14"E. along the easterly street line of Broadway a distance  
36 of 63.00 feet, thence,

37 3) In a generally easterly direction along a tangent curve to the  
38 right having a delta angle of 90°, an arc length of 18.85 feet and a  
39 radius of 12.00 feet, thence,

40 4) S.60°58'46"E. a distance of 8.25 feet, thence,

41 5) In a generally southerly direction along a tangent curve to the  
42 right having a delta angle of 72°22'08", an arc length of 15.16 feet and  
43 a radius of 12.00 feet to the westerly street line of St. Nicholas  
44 Avenue, thence,

45 6) S.11°34'21"W. along the westerly street line of St. Nicholas Avenue  
46 a distance of 133.86 feet, thence,

47 7) N.61°17'06"W. through Mitchel Square a distance of 66.42 feet to  
48 the Point of Beginning.

49 Said parcel containing 6,664 square feet of land more or less.

50 § 2. This act shall take effect immediately.