

Staff Summary

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| Subject ACQUISITION OF PROPERTY INTERESTS FOR THE PENN STATION ACCESS PROJECT |
| Department REAL ESTATE |
| Department Head Name DAVID FLORIO |
| Department Head Signature |
| Project Manager Name ANGELA SZU |

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|-----------------------------|
| Date MAY 28, 2025 |
| Vendor Name |
| Contract Number |
| Contract Manager Name |
| Table of Contents Ref. # |

| Board Action | | | | | |
|--------------|-------------------|----------|----------|------|-------|
| Order | To | Date | Approval | Info | Other |
| 1 | MNR | 05/28/25 | | X | |
| 2 | Finance Committee | 05/28/25 | X | | |
| 3 | Board | 05/28/25 | X | | |
| | | | | | |

| Internal Approvals | | | |
|--------------------|------------------------------|-------|----------|
| Order | Approval | Order | Approval |
| 1 | Legal | | |
| 2 | Chief Administrative Officer | | |
| 3 | Chief Financial Officer | | |
| | | | |

AGENCY: Metropolitan Transportation Authority ("MTA") and MTA Metro-North Railroad ("MNR")

GRANTORS: Various grantors per attached schedule

LOCATIONS: Various locations per attached schedule

ACTIVITY: Acquisition of real property interests in connection with the Penn Station Access Project ("PSA")

ACTION REQUESTED: Authorization to acquire various real property interests through negotiated agreements or eminent domain

COMPENSATION: To be determined separately for each property interest via negotiation or condemnation

COMMENTS:

In connection with the construction of PSA, a number of real property interest acquisitions will be required for stations (including platforms, stairways, walkways and Americans with Disabilities Act compliance), electrical substations, right-of-way ("ROW") augmentations along Amtrak's Hell Gate Line, and New Rochelle Yard improvements. The properties are listed on the attached schedule.

The MTA will endeavor to acquire all property interests for the project through negotiated agreements, but for a project of this magnitude, the MTA may not be able to reach agreements with all property owners and will be compelled to acquire some property interests through eminent domain. Thus, Board approval is being sought for the MTA to begin taking steps to satisfy the requirements of the Eminent Domain Procedure Law in order to preserve the MTA's rights, lessen the potential for delays to PSA and ensure the timely acquisition of the necessary property interests. If a negotiated agreement to acquire any of the property interests is reached prior to the filing of condemnation papers with the court, the terms of any such agreements will be presented to the Finance Committee and the MTA Board for further approval.

Based on the foregoing, MTA Real Estate requests authorization to proceed with the acquisition, by negotiated agreement or condemnation on the above-described terms and conditions.

**FINANCE COMMITTEE MEETING
ACQUISITION OF PROPERTY INTERESTS FOR THE PENN STATION ACCESS PROJECT
(Cont'd.)**

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BOARD RESOLUTION

WHEREAS, the MTA is undertaking the construction of the MTA MNR Penn Station Access Project ("PSA");

WHEREAS, in connection with PSA a number of real property interest acquisitions will be required for stations (including platforms, stairways, walkways and Americans with Disabilities Act compliance), electrical substations, Right-of-Way ("ROW") augmentations along Amtrak's Hell Gate Line, and New Rochelle Yard improvements;

WHEREAS, the MTA will endeavor to acquire the real property interests through negotiated voluntary agreements with the affected property owners, in order to preserve the MTA's rights and lessen the potential for future delays to the project if agreements cannot be negotiated in a timely manner, the MTA must take preliminary steps under the Eminent Domain Procedure Law to secure the property interest needed for PSA.

NOW THEREFORE, BE IT RESOLVED that in accordance with the Eminent Domain Procedure Law and Section 1267 of the Public Authorities Law, the Chairman or designated staff member of the MTA is authorized to proceed with the acquisition of real property interests in the properties described above by negotiated agreements or eminent domain and to schedule and undertake such preliminary steps, including holding a public hearing, as may be required under the Eminent Domain Procedure Law, in connection with these acquisitions.

BE IT FURTHER RESOLVED that the proposed acquisitions will be subject to prior, satisfactory completion of any required environmental reviews.

See attachment for list of properties.

This resolution shall take effect immediately upon its adoption.

FINANCE COMMITTEE MEETING

ACQUISITION OF PROPERTY INTERESTS FOR THE PENN STATION ACCESS PROJECT

(Cont'd.)

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Acquisition of Various Real Property Interests in Support of the MTA Metro-North Penn Station Access Project by Negotiated Purchase or Condemnation

| <u>Borough</u> | <u>Block</u> | <u>Lot</u> | <u>Property Address</u> | <u>Reputed Owner</u> | <u>Type of Interest</u> |
|----------------|--------------|---------------------|-----------------------------------|--|-------------------------|
| Bronx | 2599 | 1 | Southern Boulevard | Bruckner RR, LLC | Perm & Temp Easements |
| Bronx | 2599 | 62 | Bruckner Boulevard | 980 BLC Owner LLC | Perm & Temp Easements |
| Bronx | 2599 | 87 | 980 East 149 th Street | 980 BLC Owner LLC | Perm & Temp Easements |
| Bronx | 2599 | 175 | East 141 st Street | 980 BLC Owner LLC | Perm & Temp Easements |
| Bronx | 2599 | 269 | 380 Bruckner Boulevard | Bruckner, LLC | Full Fee Simple |
| Bronx | 4018 | 121 | Van Buren Street | 1601 Van Buren LLC | Permanent Easement |
| Bronx | 4085 | 4 | 1140 Sacket Avenue | Y Properties Holdings II, LLC | Permanent Easement |
| Bronx | 4411 | 300 | 1770 Stillwell Avenue | United Cerebral Palsy of New York City, Inc. | Permanent Easements |
| Westchester | 238 | 10 | 171 Huguenot Street | SILWIS LLC | Perm & Temp Easements |
| Westchester | 238 | 5 p/o (F/K/A 21) | 12 Commerce Drive | BRP 10 Commerce LLC | Perm & Temp Easements |
| Westchester | 238 | 20 | 8 Commerce Drive | Cedar Plaza Associates, LLC | Perm & Temp Easements |
| Westchester | 250 | 1 | 8 Joyce Road | Agree Eastern LLC | Perm & Temp Easements |
| Westchester | 267 | 30 | 2533 Palmer Avenue | 2533 Premium Realty LTD. | Perm & Temp Easements |
| Westchester | 267 | 15 | 2525 Palmer Avenue | 2525 Palmer Associates LLC | Perm & Temp Easements |
| Westchester | 267 | 3 | Oak Street | Aldanso Realty LLC | Perm & Temp Easements |
| Westchester | 308 | 29 | 186 Lispenard Avenue | AMD Realty, Inc. | Perm & Temp Easements |
| Westchester | 308 | 30 | Oak Street | AMD Realty, Inc. | Perm & Temp Easements |
| Westchester | 310 | 20 | 2425 Palmer Avenue | Palmer-Petersville Leopold LP | Perm & Temp Easements |