

INFORMATION ITEMS

Staff Summary

Subject UPDATE ON THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION IN BROOKLYN, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ARTURO ESPINOZA

Date NOVEMBER 19, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/19/25		X	
2	Board	11/19/25		X	

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

AGENCY: MTA New York City Transit ("NYCT")

GRANTOR: New York City Department of Parks and Recreation ("Parks")

LOCATION: Portion of Kings County Block 1547 Lot 1 in Callahan-Kelly Playground (the "Park") adjacent to NYCT's Broadway Junction subway station in Brooklyn

COMPENSATION: \$3,980,000

COMMENTS:

As referenced in the attached staff summaries dated November 29, 2023 and January 29, 2025, regarding easements to be acquired in Parks property in support of accessibility improvements at the Broadway Junction subway station, the Metropolitan Transportation Authority ("MTA") is required to identify properties of sufficient recreational usefulness as a park to serve as substitute parkland of equal value to the acquisition of easements, which will be transferred to Parks permanently given the prior use of federal funds at Callahan-Kelly Park.

In lieu of providing additional NYCT-controlled property, Parks has agreed to accept payment of the shortfall value not to exceed \$3,980,000 as a monetary contribution to Parks' capital fund for the future development of a park at Gowanus Green. The updated compensation reflects a \$10,000 increase from the previously reported \$3,970,000. This change results from a reduction in the appraised value of the NYCT-controlled replacement parcel, Gowanus Esplanade, from \$760,000 to \$750,000, based on an updated appraisal conducted on September 11, 2025. Note, the value of the Gowanus Green parcel remains unchanged.

MTA Real Estate will proceed with negotiations of the easement agreement and property transfer documents in accordance with the parameters set forth in this updated staff summary and previously noted staff summaries and MTA Legal will approve to as form.

Staff Summary

Subject UPDATE ON THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION IN BROOKLYN, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ARTURO ESPINOZA

Date JANUARY 29, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	01/27/25	X		
2	Board	01/29/25	X		

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

AGENCY: MTA New York City Transit ("NYCT")

GRANTEE: New York City Department of Parks and Recreation ("Parks")

LOCATION: 431 Hoyt Street Brooklyn, NY ("Gowanus Green")

PREMISES: Approximately 52,048 square feet

USE: Open land to be developed for a park

ACTION REQUESTED: Authorization to enter into easement agreements

COMPENSATION: \$3,970,000

COMMENTS:

As referenced in the attached Staff Summary dated November 29, 2023 regarding easements to be acquired in Parks property in support of accessibility improvements at the Broadway Junction subway station, Metropolitan Transportation Authority ("MTA") is required to identify properties of sufficient recreational usefulness as a park to serve as substitute parkland of equal value to the acquisition of easements, which will be transferred to Parks permanently given the prior use of federal funds at Callahan Kelly Park. One parcel, a portion of Sackman Street owned by the New York City Department of Transportation, was identified in the November 29, 2023, staff summary and a second NYCT-controlled parcel in the December 20, 2023, staff summary. Their combined value of \$4,360,000 did not satisfy the value of temporary and permanent easements acquired from Parks which was \$8,330,000 thereby leaving a shortfall of \$3,970,000 (the "Shortfall"). Therefore, the search for additional NYCT-controlled property continued and no NYCT-controlled parcels identified met the City's standards to be converted into a park. Eventually, a third City-owned parcel in Brooklyn was identified by Parks, Gowanus Green, and that parcel satisfied both the City's standards and the eligibility requirements of the federal Land and Wildlife Conservation Fund requirements for substitute property of the land being alienated, which included an appraisal exceeding the Shortfall.

In lieu of providing additional NYCT-controlled property, Parks has agreed to accept payment of the Shortfall, (ie, not to exceed \$3,970,000), as a monetary contribution to Parks' capital fund for the future development of a park at Gowanus Green.

Staff Summary

FINANCE COMMITTEE MEETING

UPDATE ON THE ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION IN BROOKLYN, NY (Cont'd.)

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Based on the foregoing, MTA Real Estate requests authorization to continue negotiations and enter into easement agreements with Parks at the above-described terms and conditions, including payment to Parks of the above mentioned \$3,970,000.

FOR REFERENCE PURPOSES ONLY

Staff Summary

Subject ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION STATION IN BROOKLYN, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ARTURO ESPINOZA

Date NOVEMBER 29, 2023
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/27/23	X		
2	Board	11/29/23	X		

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

AGENCY: MTA New York City Transit ("NYCT")

GRANTOR: New York City Department of Parks and Recreation ("Parks")

LOCATION: Portion of Kings County Block 1547 Lot 1 in Callahan-Kelly Playground ("the Park") adjacent to NYCT's Broadway Junction subway station in Brooklyn

EASEMENT AREA: Temporary easements totaling 14,316 square feet and permanent easements totaling 9,616 square feet

USE: Construction, maintenance, and operation of accessibility improvements

ACTION REQUESTED: Authorization to enter into easement agreements

COMPENSATION: \$8,330,000 for all easements with an offset of \$3,600,000 for a portion of Sackman Street to be transferred to Parks and additional offsets of parcels worth at least \$4,730,000 to be transferred to Parks.

COMMENTS:

In support of a capital project to install accessibility improvements at the Broadway Junction subway station complex serving the A, C, J, Z, and L lines, temporary and permanent easements need to be acquired in adjacent property belonging to Parks. The easements will allow for the expansion of the station headhouse to create space for new elevators and ramps along with new aerial bridges to improve circulation throughout the station complex.

New York State legislation, included in the 2020-2021 Enacted Budget, added PAL 1266 (12-a) to create a new valuation procedure for transfers to or acquisitions by the MTA of City of New York (the "City") owned real property, or interests in real property, needed by the MTA for certain capital projects in the 2015-2019 and 2020-2024 capital programs. The legislation adding PAL 1266 (12-a) was enacted so that the MTA can acquire from the City the real property interests needed for critical MTA capital projects timely, efficiently, and cost-effectively.

Staff Summary

FINANCE COMMITTEE MEETING



ACQUISITION OF TEMPORARY AND PERMANENT EASEMENTS FROM THE NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION IN SUPPORT OF ACCESSIBILITY IMPROVEMENTS AT NYCT'S BROADWAY JUNCTION STATION IN BROOKLYN, NY (Cont'd.)

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PAL 1266 (12-a) requires valuations of the City's real property interests and negotiations with the City to determine fair market value to be conducted after 1) the MTA has identified the need for such property interests, and 2) the City has consented to their transfer or acquisition.

The MTA has identified to the City the real property interests that the MTA needs to construct the accessibility improvements at the Broadway Junction subway station complex, and the City has consented to the transfer / sale of said real property interests to the MTA.

The New York State Assembly and Senate in June 2022 approved a bill authorizing this parkland alienation for the MTA acquisition of said real property interests at Parks' Callahan Kelly Playground and the Governor signed the bill in August 2022. An additional bill for technical corrections to the 2022 legislation was passed in May 2023 and signed by the Governor in July 2023.

Pursuant to PAL 1266 (12-a), after the MTA acquires title to the real property interests, the MTA will make a written offer to compensate the City the fair market value for said real property interests, based on an appraisal, and if needed will commence negotiations with the City to determine fair market value.

Since the Park received federal funding, any action to alienate any portion of the Park requires an additional process overseen by the National Park Service called conversion, the result of which is a requirement for identifying property whose value meets or exceeds the value of the real property interests alienated from Parks to serve as substitute parkland to be transferred to Parks permanently. Only property of sufficient recreational usefulness as a park qualifies; it is insufficient to compensate Parks with funds. One such parcel was identified early in the process and was included in the 2022 alienation legislation: the portion of Sackman Street adjacent to the Park. Thus, the alienation legislation authorized NYCT to undertake the process of a mapping action to formally discontinue and close a portion of Sackman Street (known as a "de-mapping") bordering the Park and then subsequently transferring jurisdiction of such de-mapped area to Parks.

An independent valuation of the easement areas alienated from Parks and the portion of Sackman Street to be transferred to Parks resulted in a shortfall of \$4,730,000 and the need to identify additional parcels in the Borough of Brooklyn to make up the difference. A significant driver of that shortfall is the requirement to value the temporary easements as permanent easements when the duration of the temporary occupancy is greater than 6 months, which is the case in this project. Therefore, in order to make up the shortfall, MTA identified additional parcels controlled by NYCT and they are being appraised. MTA Real Estate will negotiate terms and work with Parks to transfer the desired parcels to Parks' jurisdiction. The property acquisition will be subject to satisfactory completion of any necessary environmental reviews.

Based on the foregoing, MTA Real Estate requests authorization to proceed with negotiations and enter into easement agreements with Parks at the above-described terms and conditions. This Staff Summary will be updated to include any of the additional parkland replacement parcels identified to satisfy the above-described shortfall and the final terms and conditions will be presented to the Finance Committee and Board for approval.

**REPORT ON AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT PURSUANT TO BOARD POLICIES
NOVEMBER, 2025**

Agency	Agreement Type/ Counterparty	Location/Premises	Use	Term	Compensation	RFP Proposals	Transaction Manager
MNR GCT	<u>License Agreement</u> Licensee: P!Q-POP, LLC	Grand Central Terminal Graybar Passage	Kiosk license for the retail sale of GCT merchandise	5 Years	Profit Share 50% of Net Sales	Proposer name: Beer Table Profit Share: 85% of Net Sales to Proposer Taste New York 87% of Net Sales to Proposer	Danielle M. Gaudio
GCMOC	<u>Kiosk License</u> Licensee: Murray's Cheese	Grand Central Madison Kiosk # 6 at 46th Street	Kiosk license for the retail sale of cheese products.	1 Year	15% of Gross Sales	N/A	Danielle M. Gaudio
NYCT	<u>License</u> Licensee: Brooklyn Bridge Park Development Corporation, a subsidiary of the New York State Urban Development Corporation d/b/a Empire State Development Corporation	Pierrepont and Furman Substation, located in the vicinity of 268 Furman Street, Brooklyn NY	License for the installation of a flood wall related to the operation and maintenance of the Pierrepont and Furman Substation in connection with the P-36343 Substation Hardening project	Maximum of 15 years	Waived	N/A	Niko Sciocchetti
NYCT	<u>Lease Agreement</u> Lessor: Fancy Green Inc.	1508 Kings Highway, Brooklyn, NY 11229	Quick-service restaurant offering pre-packaged foods, salads, sandwiches, snacks, and beverages.	Ten (10) Years	\$180,000.00 with 3% annual escalations	Timurhan Kekec – Fancy Green Inc. David Nasser – Deli/Pizza/Grab-N-Go Raquel Calvo – Playa Bowls Totowa Inc. Nadra Alkhulaqui – Organic Deli Grill and Juice Bar Elliot Abadi – Drugsmith Inc. Akram Saedi – Deli/Pizza/Convenience Store Sherzod Ibragimov – Tashkent Barber Shop Ameen Garadi – Organic Deli Grill and Convenience Store Edward Mergold – Excusive Sturgeon Caviar LLC Mohamed Almerdaie – Caton Deli & Luncheonette Corp Amirah Hussain – Suhbah Coffee House Adil Khan – Hagen Daz or Deli Zafar Chaudhry – Kings Deli and Grocery Inc.	Raymond Smyth
MNR	<u>Permit</u> Permittee: The Poughkeepsie-Highland Railroad Bridge Co., Inc. D/B/A Walkway Over the Hudson Organization	MNR's Poughkeepsie Station Parking Lot on the west side of the Poughkeepsie Station	Use of station parking lot for overflow parking and shuttle bus pick up and drop off in relation to the permittee's Starry Starry Night Fundraiser Event	Friday, October 3, 2025, 6:00pm to 10:00pm	None	N/A	Jason Ortiz

**REPORT ON AGREEMENTS ENTERED INTO DIRECTLY BY THE REAL ESTATE DEPARTMENT PURSUANT TO BOARD POLICIES
NOVEMBER, 2025**

Agency	Agreement Type/ Counterparty	Location/Premises	Use	Term	Compensation	RFP Proposals	Transaction Manager
MNR	<u>Permit</u> Permittee: Premium Outlet Partners, L.P.	MNR's Harriman Station parking lot	Use of station parking lot for overflow parking and shuttle bus pick up and drop off in relation to the permittee's Thanksgiving Weekend Shopping Event	Friday, November 28, 2024 – All Day- 24 Hours Saturday, November 29, 2025 – All Day- 24 Hours	None	N/A	Jason Ortiz
MNR	<u>Permit</u> Permittee: Cornwall Central School District	MNR's Salisbury-Mills Cornwall Station south end of the parking lot	Use of station parking lot for overflow parking and shuttle bus pick up and drop off for the permittee's school events	Friday, October 3, 2025, 6:00pm to 10:00pm Saturday, October 11, 2025, 5:00pm to 10:00pm Friday, October 24, 2025, 6:00pm to 10:00pm	None	N/A	Jason Ortiz
MNR	<u>Permit</u> Permittee: Parks & Trails New York	Beacon Line/Maybrook Trailway between Hopewell Junction, NY and Brewster, NY	Use of the Metro-North-owned Maybrook Trailway for a cycling event	Thursday, August 7, 2025	None	N/A	Jason Ortiz
MNR	<u>Permit</u> Permittee: Town of Cortlandt	MNR's Cortlandt Station Parking Lot 1 and 2 on the east side of Cortlandt Metro-North Station	Use of the parking lots to host the Town's annual Family Fun Day event.	October 4, 2025, 3:00pm to 9:00pm	None	N/A	Jason Ortiz
NYCT	<u>License</u> Licensee: ChaShaMa Inc.	NYCT's 42 Street – 8 Avenue Station, Unit 15 and Unit 17	Use of retail units for the operation of small businesses	One (1) year	\$1,000 per month	N/A	Ray Smyth
NYCT	<u>Access Agreement</u> Licensee: 7-9th Street Luncheonette Corp.	Portion of NYCT's property (Block 477, p/o Lot 1)	Access for NYCT to connect to Licensee's main sewer and water lines for a new NYCT restroom	Two (2) weeks	N/A	N/A	Ray Smyth

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NOVEMBER, 2025**

Agency	Agreement Type/ Counterparty	Location/Premises	Use	Term	Compensation	RFP Proposals	Transaction Manager
LIRR	<u>License Agreement</u> Licensee: City Mission Inc.	Broadway between South Railroad Avenue and Whitney Avenue in Elmhurst, NY	Installation, maintenance and display of artwork on LIRR's retaining wall and pillars along the underpass	1 year with automatic annual renewal	None	N/A	Selina Storz
LIRR	<u>License Agreement</u> Licensee: Oyster Bay Railroad Museum	Northeasterly portion of Oyster Bay Yard on Bay Avenue near Harbor Place, Town of Oyster Bay, County of Nassau, New York	Parcel of land containing 30,000 SF which contains a railroad turntable which is listed on the National Register of Historic Places and forms part of the museum.	Five (5) Years	None	N/A	Selina Storz
B&T	<u>Permit</u> Greenwich Club Residences	Battery Parking Garage: 70 Greenwich Street, New York, New York 10006	Use of seventeen (17) parking spaces on the roof of the Battery Parking Garage in connection with the Building façade improvements	Sixty (60) Days	\$21,250.00	N/A	Jason Ortiz
B&T	<u>Permit</u> National September 11 Memorial and Museum at the World Trade Center	Battery Parking Garage: 70 Greenwich Street, New York, New York 10006	Use of seventy-five (75) parking spaces in connection with the September 11, 2001, memorial ceremonies.	Thursday September 11, 2025, 6:00 a.m. to 8:00 p.m.	None	N/A	Jason Ortiz