

# Staff Summary

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| <b>Subject</b><br><b>ACQUISITION OF PERMANENT EASEMENT AND CONSTRUCTION LICENSE FROM RLF BASSETT II LLC IN THE BRONX, NEW YORK IN SUPPORT OF THE PENN ACCESS PROJECT</b> |
| <b>Department</b><br><b>TRANSIT ORIENTED DEVELOPMENT</b>   |
| <b>Department Head Name</b><br><b>MIRIAM G. HARRIS</b>   |
| <b>Department Head Signature</b>   |
| <b>Project Manager Name</b><br><b>NICHOLAS ROBERTS</b>   |

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|---|
| <b>Date</b><br><b>DECEMBER 17, 2025</b> |
| <b>Vendor Name</b>                      |
| <b>Contract Number</b>                  |
| <b>Contract Manager Name</b>            |
| <b>Table of Contents Ref. #</b>         |

| Board Action |                   |          |          |      |       |
|--------------|-------------------|----------|----------|------|-------|
| Order        | To                | Date     | Approval | Info | Other |
| 1            | Finance Committee | 12/15/25 | X        |      |       |
| 2            | Board             | 12/17/25 | X        |      |       |
|              |                   |          |          |      |       |
|              |                   |          |          |      |       |

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

AGENCY: Metropolitan Transportation Authority ("MTA") and MTA Construction & Development Company ("C&D")

GRANTOR: RLF II BASSETT LLC (the "Grantor")

LOCATION: 1502 Bassett Avenue, Bronx, New York (the "Property")

ACTIVITY: Acquisition of a permanent easement and construction license for a pedestrian overpass at the south entrance of Metro-North Railroad's new Morris Park Station as part of the Penn Access Project (the "Property Interest")

ACTION REQUIRED: Authorization to acquire the Property Interest, construct a new entrance to the Grantor's Property, and enter into the Pedestrian Overpass Agreements (as defined below)

EASEMENT AREA: 2,203 square feet

LICENSED AREA: Private Bassett Avenue between Eastchester Road and Metro Atrium Drive

COMPENSATION: \$1,000,000.00, plus construction of a new entrance to the Grantor's Property.

## COMMENTS:

Penn Station Access ("PSA") is a new Metro-North Railroad ("MNR") link to Penn Station that will provide one-seat passenger rail service to Penn Station for MNR's New Haven Line customers. In October 2021, the MTA Board authorized MTA Real Estate to proceed with property acquisitions in support of PSA by negotiated agreement or condemnation, with the terms of any negotiated agreement subject to further MTA Board approval.

The Property is in the Morris Park section of the Bronx and is improved with a 367,000 square foot last-mile distribution facility that is leased by the Grantor to Amazon. The Property is further improved by a private road known as Bassett Avenue ("Bassett Avenue") that is adjacent to Amtrak's right of way for the Hell Gate Line (the "Hell Gate ROW") which will serve as the trackage for the PSA project. Bassett Avenue is the sole means of ingress and egress to the Property. The platform for the future Morris Park Station (the "Station Platform") will be sited within the Hell Gate ROW while its south entrance (the "South Station Entrance") will be sited on separate privately owned property adjacent to Bassett

## FINANCE COMMITTEE MEETING

### ACQUISITION OF PERMANENT EASEMENT AND CONSTRUCTION LICENSE FROM RLF BASSETT II LLC IN THE BRONX, NEW YORK IN SUPPORT OF THE PENN ACCESS PROJECT (Cont'd.)

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Avenue. A pedestrian overpass (the "Pedestrian Overpass") will be constructed to connect the Station Platform with the South Station Entrance. The only viable location for the Pedestrian Overpass is above Bassett Avenue.

To construct the Pedestrian Overpass and to allow for its eventual use by MNR customers, MTA will be required to enter into a permanent easement agreement and a construction license with the Grantor (collectively, the "Pedestrian Overpass Agreements"). The Grantor has conditioned its willingness to enter into the Pedestrian Overpass Agreements on receipt of a one-time, lump sum payment of \$1M from the MTA and the MTA's willingness to construct at its own expense a new entrance to the Property from an adjacent public street (the "New Property Entrance").

MTA Transit Oriented Development ("TOD") has concluded, based on the recommendation of legal counsel and an independent appraisal of the Property Interest, that the payment of the \$1M and the cost of constructing the New Property Entrance, estimated at \$310,943, is materially less expensive than condemning the Property Interest and avoids the litigation risk and associated costs associated that may otherwise be incurred by the MTA. Further, the Pedestrian Overpass is critical to the design and use of the future Station; it is not feasible to construct the Station without it.

Based on the foregoing, TOD requests authorization for the MTA to acquire the Property Interest from the Grantor on the above-described terms and conditions, including payment of the \$1M compensation to the Grantor and the construction of the New Property Entrance at the MTA's expense.