

LEGAL NOTICE

LOWER MANHATTAN DEVELOPMENT CORPORATION NOTICE OF PUBLIC HEARING TO BE HELD ON JUNE 19, 2019 PURSUANT TO SECTIONS 6 AND 16 OF THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION ACT AND SECTIONS 201-204 OF THE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE WORLD TRADE CENTER MEMORIAL AND CULTURAL PROGRAM

PLEASE TAKE NOTICE that a public hearing, open to all persons, will be held at the LMHQ (Lower Manhattan Headquarters), 150 Broadway, 20th Floor, New York, NY 10038, commencing at 5:30 p.m. through 7:30 p.m. on June 19, 2019, by the Lower Manhattan Development Corporation (“LMDC”), a subsidiary of New York State Urban Development Corporation d/b/a Empire State Development (a political subdivision and public benefit corporation of the State of New York), pursuant to Sections 6 and 16 of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended; the “Act”) and Sections 201-204 of the New York State Eminent Domain Procedure Law (“EDPL”), to consider (a) the proposed acquisition by LMDC by condemnation of certain property owned by The City of New York (the “City”) in the Borough of Manhattan, City, County and State of New York, and (b) the proposed disposition by LMDC of certain property in the Borough of Manhattan, City, County and State of New York, including said property acquired by condemnation, to the Port Authority of New York and New Jersey (the “PA”) or the City (said acquisition and disposition of property, collectively, the “Project”), without the payment of any consideration, in furtherance of LMDC’s General Project Plan (“GPP”) for the World Trade Center Memorial and Cultural Program (“Program”).

The purposes of the public hearing are to review the public use to be served by the Project and the impact of the Project on the environment and residents of the locality where the Project is proposed to occur, pursuant to Article 2 of the EDPL, and to give all interested persons an opportunity to present oral or written statements and to submit other documents concerning the Project in accordance with Section 6 of the Act.

LMDC proposes to undertake the Project, all as further described below, for the purpose of conforming ownership of property at the World Trade Center Site (the “WTC Site”) consistent with the street grid, transportation and security infrastructure, and the sites of the public open space and performing arts center (“PAC”) described in the GPP. The Project is in furtherance of the public purposes of the Program, described in the GPP as including elimination of the substandard, insanitary conditions that existed on the World Trade Center Site and the Southern Site as a result of the tragic September 11, 2001 attacks on the World Trade Center, and assisting in the sound growth and redevelopment of the WTC Site and Lower Manhattan. The Project would further the redevelopment of the WTC Site as a mixed-use center of commerce, public spaces, and culture, with a Memorial at its heart, and would advance the goals of the Act, the objectives developed by LMDC and the goals articulated by the Governor of the State of New York and the Mayor of the City of New York—to remember and honor the victims of the terrorist attacks while revitalizing Lower Manhattan.

Project Location and Description: The Project involves the exercise by LMDC of its power of eminent domain, either with or without negotiated agreements, to acquire property, as well as the acquisition and disposition by negotiated agreement of property by LMDC, consisting of the parcels described below, all of which are located in Lower Manhattan, New York, New York.

(i) City Street Parcels. The following City-owned parcels, known as parcels S1, S2, S6 and S7, which are located in currently mapped City streets and will be acquired by condemnation and subsequently transferred to the PA:

[S1] Fee interest in a parcel of land along the southerly line of Liberty Street between West Street and Washington Street, containing 2,229 square feet or 0.051 acres more or less, and having no upper or lower limiting planes.

[S2] Fee interest in an irregularly-shaped parcel of land in Washington Street between Liberty Street and Cedar Street and along the southerly line of Liberty Street between Washington Street and Greenwich Street, containing 6,458 square feet or 0.148 acres more or less, and having no upper or lower limiting planes.

[S6] Subsurface rights from 1.35 feet below top of curb in a parcel of land in the bed of Liberty Street between West Street and Greenwich Street, containing 14,809 square feet or 0.340 acres more or less, and having no lower limiting plane.

[S7] Subsurface rights from 1.35 feet below top of curb in a parcel of land in the bed of Cedar Street between West Street and Washington Street, containing 9,025 square feet or 0.207 acres more or less, and having no lower limiting plane.

(ii) PA Parcel. The following PA-owned parcel, known as parcel S8, which will be transferred by the PA to LMDC, and then transferred by LMDC to the City:

[S8] Surface rights above 1.35 feet below top of curb in a parcel of land along the northerly line of Cedar Street between West Street and Washington Street (portion of 155 Cedar Street), containing 70 square feet or 0.0016 acres more or less, and having no upper limiting plane.

(iii) LMDC Parcels. The following LMDC-owned parcels, known as S4, S4A, S5 and S9, which will be transferred to the City:

[S4] Surface rights above 1.35 feet below top of curb in a parcel of land along the northerly line of Cedar Street between West Street and Washington Street, west of 155 Cedar Street, containing 205 square feet or 0.005 acres more or less, and having no upper limiting plane.

[S4A] Surface rights above 1.35 feet below top of curb in a parcel of land along the northerly line of Cedar Street between West Street and Washington Street, east of 155 Cedar Street, containing 182 square feet or 0.004 acres more or less, and having no upper limiting plane.

[S5] Surface rights above 1.35 feet below top of curb in a parcel of land along the southerly line of Liberty Street and the westerly line of Greenwich Street, located at the intersection of Liberty and Greenwich Streets, containing 1,358 square feet or 0.031 acres more or less, and having no upper limiting plane.

[S9] Fee interest in a parcel of land currently subject to a permanent easement in favor of the City located along the northerly line of Albany Street between Washington Street and Greenwich Street (portion of 130 Liberty Street), containing 140.41 square feet or 0.0032 acres, more or less.

(iv) Easement Parcels. The following easements in City-owned parcels, known as the Oculus Easement and PAC Easement, which will be acquired by condemnation and subsequently assigned to the PA:

[Oculus Easement] Easement interests in a volume of space to accommodate the location of portions of the PATH Oculus (e.g., the “wings”) in an area above Fulton Street from 30 feet above top of curb to 212 feet above top of curb, having a projected area of 16,071 square feet or 0.369 acres of land, more or less, and in an area above Greenwich Street from 38 feet above top of curb to 170 feet above top of curb, having a projected area of 1,767 square feet or 0.04 acres of land, more or less.

[PAC Easement] Easement interests in a volume of space to accommodate the encroachment of a small portion of the PAC onto Vesey Street, from 20 feet above top of curb to 146 feet above top of curb, having a projected area of 4.358 square feet of land, more or less, and from 1.35 feet below top of curb to the top of curb, having a projected area of 4.358 square feet of land, more or less.

Compliance with Laws: All acquisitions and dispositions by LMDC will be made in compliance with the requirements of the Act, the Public Authorities Law and the State Environmental Quality Review Act, and the acquisitions by condemnation will further be made in compliance with the EDPL.

Availability of General Project Plan and Environmental Review Documents: The GPP is available on LMDC's website at www.RenewNYC.com in “The Plan for Lower Manhattan” section. LMDC's environmental review documents, including the Final Generic Environmental Impact Statement and the Record of Decision and Findings Statement, also are available on LMDC's website at www.RenewNYC.com in the “Planning Documents” section. Hard copies may be viewed at LMDC's offices by contacting the LMDC Contact Person listed below.

Receipt of Comments: Comments on the proposed transfers by LMDC are requested and may be made orally or in writing at the hearing on June 19, 2019, or presented in writing on or before July 19, 2019 to the LMDC Contact Person listed below. Written comments received after the close of business on July 19, 2019 will not be considered.

ACCORDING TO EDPL §202(C), THOSE PROPERTY OWNERS WHO MAY SUBSEQUENTLY WISH TO CHALLENGE THE CONDEMNATION OF THEIR PROPERTY VIA JUDICIAL REVIEW, MAY DO SO ONLY ON THE BASIS OF ISSUES, FACTS, AND OBJECTIONS RAISED AT THE HEARING.

The hearing is accessible to people who are mobility impaired. Sign language interpreter services will be provided upon advance request by contacting the LMDC Contact Person listed below on or before June 12, 2019.

LMDC Contact Person: Daniel A. Ciniello, Acting President, 22 Cortlandt Street, 11th Floor,
New York, New York 10007; 212-962-2300.

Dated: May 20, 2019, New York, New York

LOWER MANHATTAN DEVELOPMENT CORPORATION

Daniel A. Ciniello, Acting President