

***DETERMINATION AND FINDINGS BY THE CITY OF NEW YORK  
PURSUANT TO EDPL SECTION 204  
WITH RESPECT TO CERTAIN PROPERTY TO BE ACQUIRED IN  
CONNECTION WITH THE NO. 7 SUBWAY EXTENSION - HUDSON YARDS  
REZONING AND DEVELOPMENT PROGRAM***

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Project Objectives and Proposed Acquisitions

The No. 7 Subway Extension - Hudson Yards Rezoning and Redevelopment Program (the “Project”) is a collaborative effort involving the City of New York (“the City”), the Metropolitan Transportation Authority (“MTA”) and numerous other City and State agencies for the transit-oriented redevelopment of over 300 acres on the Far West Side of Midtown Manhattan. The area involved generally extends from West 24<sup>th</sup> to West 43<sup>rd</sup> Streets and from Seventh Avenue to the Hudson River Park. The area is currently primarily characterized by parking lots, auto body repair shops, transportation ramps and open rail yards used by the MTA for the storage of Long Island Rail Road trains and related equipment. The purpose of the Project is to transform the area into a modern, pedestrian-friendly, mixed-use extension of Midtown Manhattan, complete with improved public transit access, enhanced public facilities, and new parkland (including an active recreation park on a full block between Eleventh and Twelfth Avenues and 29<sup>th</sup> and 30<sup>th</sup> Streets, and a broad, tree-lined mid-block park and boulevard system between Tenth and Eleventh Avenues and 33<sup>rd</sup> and 39<sup>th</sup> Streets). This comprehensive plan has been designed to accommodate the projected commercial, residential and retail development over the next several decades, allowing the City and State to maintain their respective positions in an increasingly competitive regional and global marketplace.

The Project consists of several elements. The first is the extension of the No. 7 subway line from its current terminus at Times Square to a new terminus at West 34<sup>th</sup>

Street and Eleventh Avenue. To achieve this objective, certain property interests must be acquired by the City and the MTA. However, the extension has been planned so as to keep these acquisitions to a minimum, including by taking, where possible, either permanent or temporary easement interests instead of fee interests.

In connection with the No. 7 extension, the City will be acquiring eight parcels in fee, permanent subsurface easement interests in five lots, and temporary easement interests in thirty-five lots with the MTA itself acquiring easement interests (four permanent and one temporary) in five lots. Based on engineering, geotechnical and vibrational analyses performed by the MTA, it is not presently believed that any of the proposed easement acquisitions would materially interfere with existing uses on any of the properties through which they would pass. Though it is possible that certain of the proposed easement acquisitions may impact future uses of the applicable parcels, these impacts will be minimized as feasible. To this end, MTA has indicated its willingness to undertake coordination with the owners of these parcels.

In addition to the extension of the No. 7 subway line, the Project includes the creation of a mid-block park and boulevard system running between Tenth and Eleventh Avenues, from 33<sup>rd</sup> to 39<sup>th</sup> Streets. There will also be a subsurface public parking garage under a portion of the mid-block park and boulevard system running between Tenth and Eleventh Avenues from 34<sup>th</sup> to 36<sup>th</sup> Streets.

In connection with the mid-block park and boulevard and underground garage, the City will acquire fee interests in all or a portion of 27 lots. The interests to be acquired for the mid-block park and boulevard and the underground garage may be acquired in phases.

A third component of the Project is the acquisition of the block between Eleventh and Twelfth Avenues and 29<sup>th</sup> and 30<sup>th</sup> Streets in order to create an active recreation park, together with space for the potential relocation of certain municipal facilities (anticipated to be used for Sanitation and Police Department operations, though the details of this arrangement remain to be determined). In connection with the active recreation park and relocated municipal facilities, the City will acquire fee interests in all or a portion of eight lots.

Over the past several years, the Project has undergone extensive environmental and other public review by the City and the MTA, with substantial comments regarding the project received from local residents, civic organizations, members of the business community, and others. The environmental review resulted in one of the most comprehensive environmental impact statements ever produced for a project in New York City. The final generic environmental impact statement (“FGEIS”) for the No. 7 Subway Extension – Hudson Yards Rezoning and Development Program runs to nearly 8,000 pages and has been made available to the public at various locations, including over the internet. In addition, the Project has been the subject of more than 150 outreach meetings and numerous public hearings. As a culmination of the extensive public review process, the FGEIS was approved by the MTA’s Board in November, 2004, while the Hudson Yards rezoning plan was adopted by the City Planning Commission in November 2004 and, by an overwhelming 46-to-1 vote at the City Council, in January, 2005.

### Property Description

Attached hereto as Exhibit A is a list of all of the parcels proposed to be acquired by the City, including the type of interest in each parcel to be acquired (fee interest in the entirety of the parcel, fee interest in a portion of the parcel, permanent easement interest, or temporary easement interest). In the event of any conflict between the Block and Lot shown on Exhibit A and the address shown on Exhibit A, the Block and Lot shall control. It is presently anticipated that the City will acquire the property interests described in Exhibit A in phases, with most property interests being acquired in Phase 1, and the property interests required for the northern portion of the mid-block park and boulevard, described below, to be acquired in Phase 2. The City reserves the right to acquire a lesser interest in any of the properties shown on Exhibit A, to take the properties in more or fewer phases, to change the phase designation of any property from that shown in Exhibit A, or to refrain from acquiring any one or more of the above property interests, as dictated by the needs of the Project.

The properties being acquired for each element of the Project fall into the following three categories.

1. No. 7 Subway Line Extension

The first category of property interests to be acquired would permit the construction of an extension of the No. 7 subway from its current terminus at Times Square through a new terminal station at 34<sup>th</sup> Street and Eleventh Avenue, with an intermediate station at 41<sup>st</sup> Street and Tenth Avenue. This category includes the acquisition of all or part of eight lots on Blocks 697, 705, 706 and 1069, together with the acquisition of five permanent subsurface easements and 35 temporary subsurface easements. These proposed acquisitions are detailed in Exhibit A.

The fee parcels are: Block 697, Lots 1 and 60; Block 705, Lots 1, 5 and 54; Block 706, Lot 1; and Block 1069, Lots 29 and 34.

Easement Parcels: All of the parcels listed in Exhibit A in which a temporary easement (TE) or permanent easement (PE) is being sought relate to the No. 7 Subway Line Extension. Attached hereto as Exhibit B is a chart showing the upper and lower limiting planes of each such easement interest, as well as the horizontal distance (measured from the property line at Eleventh Avenue or 41<sup>st</sup> Street, as the case may be) that the easement encroaches onto the property. The upper limiting plane and the lower limiting plane depths are approximate. The temporary easements may be needed for a period of up to seven years.

## 2. Mid-Block Park and Boulevard System and Underground Public Parking Garage

The construction of the Mid-Block Park and Boulevard system running from 33<sup>rd</sup> to 39<sup>th</sup> Streets, between Tenth and Eleventh Avenues, would involve the fee acquisition of all or part of 27 lots on Blocks 705, 706, 707, 708, 709, and 710. The proposed acquisitions would also permit the construction of a new subterranean public parking facility located beneath a portion of the mid-block and boulevard system running from 34<sup>th</sup> to 36<sup>th</sup> Streets in the mid-block between Tenth and Eleventh Avenues. All of the lots shown on Exhibit A as either acquisition (A) or partial acquisition (PA) parcels in Blocks 706, 707, 708, 709 and 710, except for Block 706, Lot 1 (which is being acquired for the No. 7 Subway Line Extension) are to be acquired for this element of the Project. It is presently anticipated that the Mid-Block Park and Boulevard acquisitions will be done in two phases, with the lots in Blocks 705, 706, and 707 being part of Phase 1, and the lots

in Blocks 708, 709, and 710 being part of Phase 2. The City reserves the right, however, to acquire the parcels in different groupings, or in a different sequence, or to acquire fewer than all of the parcels identified.

### 3. Active Recreation Park and Municipal Facilities

The third category of acquisitions would involve the fee acquisition of all eight lots on Block 675, between 29<sup>th</sup> and 30<sup>th</sup> Streets and Eleventh and Twelfth Avenues, to provide new parkland and to allow for the possible relocation of certain municipal facilities beneath the new recreation park.

#### Public Review

In connection with the proposed redevelopment of the Hudson Yards, including the rezoning enacted in connection therewith, the proposed No. 7 subway extension and the contemplated acquisitions, a number of public hearings and meetings were held, including hearings and meetings under the City's Uniform Land Use Review Procedure ("ULURP"), before Community Boards 4 and 5, the Manhattan Borough President, the Borough Board, the MTA Board, the City Planning Commission, and the City Council.

On Thursday, June 16, 2005, a duly noticed joint public hearing by the City and MTA was held, in accordance with the provisions of Article 2 of the New York State Eminent Domain Procedure Law ("EDPL") in order, among other things, to further inform the public of the Project, to solicit comments from the public on all of the proposed acquisitions, to review the same and to review the public uses to be served thereby and the general impact of the Project on the environment and residents of the locality where the Project is situated. At that June 16, 2005 public hearing, the City and the MTA stated that any written comments on the relevant topics not given at that public

hearing were required to be submitted by July 8, 2005, at 5:00 P.M. Representatives of the City (including the Department of Citywide Administrative Services) and the MTA were present at that June 16, 2005 public hearing and were given the transcript of that hearing and the written comments subsequently submitted.

At the hearing, a representative of the City presented information to the public concerning the public use, benefits, and purposes to be served by the proposed acquisitions for the Project, the reasons that the real property interests were proposed to be acquired, and the general effect of the proposed acquisitions on the environment and residents of the locality. In addition, copies of detailed surveys of the property interests to be acquired by the City and MTA for the Project were posted at the hearing, with smaller scale copies of those surveys made available to the public to take away. A booklet that had previously been posted on the website of the Department of City Planning, describing the proposed property acquisitions and relocation, together with a previously-issued Executive Summary of the FGEIS were again made available at the public hearing.

The record of the hearing was concluded on July 8, 2005 at 5:00 P.M. All testimony and written comments received at the hearing or by July 8, 2005, and all materials made available at the hearing, have been reviewed, made a part of the record, and afforded full consideration.

#### Findings and Determination

Pursuant to EDPL § 204 and having given due consideration to the complete hearing record, which includes, among other things, all documents submitted and all

public comments, the City makes the following findings and determination concerning the above-described acquisitions and the Project:

The Public Use, Benefit, and Purpose To Be Served By The Project [EDPL § 204(B)(1)].

1. No. 7 Subway Line Extension. The acquisition of the property interests for rapid transit subway purposes is integral to, and necessary for, the implementation of the Hudson Yards redevelopment. Specifically, because transportation and urban development patterns are historically linked and interdependent, by allowing for the extension of the No. 7 subway into an area that is currently underserved by public transportation, these acquisitions will spur the development of much-needed, new residential and commercial development in a transit-friendly environment. The redevelopment contemplated by the Project and the fiscal revenues generated thereby (including real estate taxes, sales taxes, income taxes and payments in lieu thereof) are essential to the fiscal base of the City and State. This redevelopment will both furnish the source of funds to build the No. 7 extension and generate fiscal surpluses (even after taking into account the cost of governmental infrastructure investments) of tens of billions of dollars. In addition, as a result of the project, it is anticipated that approximately 13,500 new residential units (of which nearly 4,000 will be affordable), and 24 million square feet of new commercial office space will be created in the area, together with over 200,000 temporary and 225,000 permanent jobs, as a result of the construction and on-going economic activity. The No. 7 subway extension and other substantial infrastructure investments by the City will make higher density development feasible, unlocking the potential of an underutilized portion of Manhattan.



The Project's economic, aesthetic and social benefits to the City and State will be enormous and long lasting. The public transportation component of the Project (i.e., the No. 7 subway extension) is a crucial component in creating these benefits. The expansion of the subway system will serve the public and improve mass transit in and to the Far West Side, better integrating the area into the surrounding community.

2. Mid-Block Park and Boulevard System and Underground Public Parking Garage. The mid-block park and boulevard system will contain a series of parks and two one-way streets. The proposed acquisitions will also permit the construction of a new subterranean public parking facility located beneath a portion of the mid-block park and boulevard system running in the mid-block from 34th to 36th Streets.

The mid-block park and boulevard system will bring light and air to an area that is zoned for high-density development reflective of Manhattan's central business districts. In addition, the boulevard and park system will also provide a visual and recreational corridor, while also improving vehicular and pedestrian circulation. The construction of the underground public parking facility, meanwhile, will help the area meet the parking needs of new residential and commercial development. In this way, the mid-block park and boulevard system and the public parking facility will serve as vital components of the Hudson Yards project, providing critical infrastructure that would ultimately facilitate the construction of the approximately 13,500 residential units and 24 million square feet of commercial office space that are at the heart of the Project.

3. Active Recreation Park and Municipal Facilities. The full-block located between 29th and 30th Streets and Eleventh and Twelfth Avenues is currently envisioned

to contain a new active recreation park, and possibly certain relocated municipal facilities which could be placed beneath the new active recreation park.

These uses will serve as a link between the Hudson Yards area and the Hudson River Park, as well as provide state-of-the-art facilities for vital municipal functions. The construction of recreation space will enhance the livability of the area for current and future residents while the underlying structure would provide space for necessary municipal services. In this way, like the mid-block park and boulevard system and public parking facility, the active recreation park and municipal facility will serve as vital components of the Hudson Yard project, providing critical infrastructure that will ultimately support the construction of the approximately 13,500 residential units and 24 million square feet of commercial office space that are at the heart of the project.

Location of Real Property and Reasons for Selection of that Location [EDPL § 204(B)(2)].

The locations of the properties to be acquired are described in detail above and in the exhibits attached hereto. The fee and easement acquisitions necessitated by the proposed route of the No. 7 subway extension were the product of a rigorous alternatives analysis that was performed in conjunction with the extensive environmental review for the Project under the State Environmental Quality Review Act (“SEQRA”) and the City Environmental Quality Review (“CEQR”). The depth of the subway alignment was dictated by factors of clearance, environmental impact minimization, and geologic conditions.

The location of the subsurface easements that the City will acquire for subway construction was driven by the need to construct and stabilize the subway tunnels and

related facilities within and adjacent to their proposed locations. The subsurface easements that the City will acquire are not anticipated to either materially restrict or adversely impact the current surface uses of the parcels in which they are located.

The temporary subsurface easements for the No. 7 subway extension generally are needed to provide support for subway tunnels and related subway equipment and facilities. The permanent easements generally are needed for the long term, stability and functioning of the subway extension. The fee acquisitions for the No. 7 subway line are for subway stations, necessary equipment, ancillary structures, and substations, as well as preparation, staging and tunnel excavation.

The mid-block park and boulevard and underground garage sites were selected in order to provide improved vehicular and pedestrian circulation, address parking demand and create new parks and public open space in an area sorely lacking in each. These elements of the Project would serve as amenities to help spur the development contemplated by the rezoning of the area.

The full-block active recreation park and relocated municipal facilities site was selected not only because it can serve as a bridge between the neighborhood (which lacks active recreation space) and the Hudson River Park but also because its topography is such that it can also accommodate subsurface construction. Like the mid-block park and boulevard system and underground public parking garage, these elements of the Project would serve as amenities to help spur the development contemplated by the rezoning of the area.

General Effect of Real Property Acquisitions on the Environment [EDPL § 204(B)(3)].

The general effects of the property acquisitions described herein and the Project as a whole upon the environment are beneficial in that, they would result in an area of Manhattan that is presently underutilized being transformed into an area characterized by open space, open vistas, high-density commercial office, retail and residential development and economic growth for the next several decades – all within close proximity to public transportation.

Environmental impacts of the Project were analyzed in exhaustive detail in the FGEIS. The FGEIS discloses a number of significant adverse impacts during construction (air quality, noise and historic resource impacts) and after construction (community facilities, architectural and historical resources, archaeological resources, traffic, transit, pedestrian conditions, and noise impacts), most of which could be mitigated either fully or in part through the mitigation measures described in the FGEIS. SEQRA findings were issued by the MTA on November 18, 2004 and by the City on November 22, 2004. The MTA Board and City Planning Commission stated in the SEQRA findings that: “[t]he significant adverse impacts to community facilities, noise, and construction period air quality and traffic would be fully mitigated”; “significant adverse impacts to architectural historical resources, archaeological resources, and construction period noise would remain unmitigated”; and that “[m]any, but not all, traffic, transit, and pedestrian impacts would also be fully mitigated.” The decisionmakers considered the relevant environmental impacts, facts and conclusions disclosed in the FGEIS and weighed and balanced relevant environmental impacts with

social, economic and other considerations. It was determined that, consistent with social, economic and other essential considerations, from among the reasonable alternatives available, the Project will avoid or minimize adverse environmental impacts to the maximum extent practicable and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating the mitigation measures described in the FGEIS.

General Effect of the Proposed Acquisitions on the Residents of the Locality

[EDPL § 204(B)(3)].

It is anticipated that the proposed acquisitions will require the relocation of the occupants of approximately 50 residential units, as well as approximately 93 businesses. At the June 16, 2005 hearing, the City explained that, compared to other recent large-scale redevelopment projects in New York City, the level of anticipated relocation as a result of proposed condemnation for the Project would be relatively low. Further, the City also explained that, where relocation would be necessary, it would undertake extensive efforts to assist impacted occupants, and would even consider mitigation measures beyond what would be required by law. To this end, the City has been in contact with area businesses and residents in an effort to ascertain the issues that might be created by condemnation so as to determine, if condemnation occurs, how best to address these issues. Moreover, the Project would be enormously beneficial to the large number of area residents and businesses that would not be required to relocate as a result of condemnation by affording them a greater availability of housing (including extensive affordable housing), temporary and permanent employment opportunities, new open space, civic facilities and expanded mass transit.

Other Relevant Factors [EDPL § 204(B)(4)].

At the public hearing, oral and written comments were received from the public and written comments were accepted until the close of business on July 8, 2005.

A number of comments were received that supported the Hudson Yards Projects and the proposed acquisitions. A number of objections were also received. These objections related to: (a) the extent of the proposed acquisition of their properties when they believe temporary and permanent easements (or other lesser property interests) would suffice; (b) concerns that the easements might interfere with current uses; (c) the easements may result in additional costs for presently contemplated construction on a particular parcel; (d) the perceived reduction in the value, or interference with the use, of their properties by reason of the complex planning, engineering and construction of the No. 7 subway extension; (e) having the prior zoning remain in place with respect to certain properties designated for possible acquisition as doing so, they contended, would force them to forego the benefits due to area upzoning when their properties are acquired; (f) the restrictions imposed with respect to the transfer of development rights or “air rights” as part of the recent rezoning; (g) the alleged lack of communication about how the condemnation and relocation process works and concerns regarding the relocation process; (h) the need for the new mid-block park and boulevard system and underground parking facility; (i) adequacy of the FGEIS and the potential environmental impacts of the Hudson Yards project; and (j) concerns that the Project provides less affordable housing than they deemed appropriate.

All comments have been given due consideration by the City of New York, acting by and through its Department of Citywide Administrative Services.

## **DETERMINATION**

Based on due consideration of the record and the foregoing findings, it is determined that the City of New York should exercise its power of condemnation to acquire the above-described property in order to promote and permit the purposes of the Project to be achieved.

Copies of this Determination and Findings by the City of New York are available and will be forwarded without cost and, upon request, by writing to:

The City of New York Law Department  
100 Church Street  
New York, New York 10007  
Attention: Lisa Bova-Hiatt, Esq.

**ATTENTION: ANY PERSON WHO WISHES TO SEEK JUDICIAL REVIEW OF THIS DETERMINATION AND FINDINGS, OR WHO CLAIMS TO BE AGGRIEVED BY SUCH DETERMINATION AND FINDINGS AND WISHES TO CHALLENGE SAME, MUST DO SO, IF AT ALL, (1) BY DULY COMMENCING A LEGAL PROCEEDING IN THE APPELLATE DIVISION, FIRST DEPARTMENT, 27 MADISON AVENUE, NEW YORK, NEW YORK, NO LATER THAN NOVEMBER 3, 2005, OTHERWISE ANY SUCH CHALLENGE OR JUDICIAL REVIEW MAY BE TIME BARRED, AND (2) BY DULY SERVING A DEMAND UPON THE CITY OF NEW YORK TO FILE THE RECORD UNDERLYING THIS DETERMINATION AND FINDINGS. THE APPELLATE DIVISION MAY CONSIDER THE PUBLIC USE, BENEFIT OR PURPOSE TO BE SERVED BY THE PROPOSED ACQUISITION AND OTHER MATTERS SET FORTH IN NEW YORK EMINENT DOMAIN PROCEDURE LAW SECTION 207. UNDER SECTIONS 207 AND 208 OF THE EMINENT DOMAIN PROCEDURE LAW, THE EXCLUSIVE VENUE FOR ANY CHALLENGE TO THIS DETERMINATION AND FINDINGS IS THE ABOVE-DESCRIBED APPELLATE DIVISION. ANYONE WISHING TO CHALLENGE THIS DETERMINATION AND FINDINGS IS ADVISED TO CONSULT AN ATTORNEY PROMPTLY.**

**Exhibit A**

<b>Block</b>	<b>Lot</b>	<b>Property Address</b>	<b>Property Interest Sought (1)</b>	<b>Phase</b>
670	70	231 11th Avenue	TE	1
672	1	20 Joe DiMaggio Highway (West Side Highway)	TE	1
673	1	261 11th Avenue	TE	1
674	1	240-258 12th Avenue	TE	1
675	1	260 12th Avenue	A	1
675	12	613-635 West 29th Street	A	1
675	24	609 West 29th Street	A	1
675	26	603 West 29th Street	A	1
675	29	301 11th Avenue	A	1
675	36	309-315 11th Avenue	A	1
675	38	604 West 30th Street	A	1
675	39	606-616 West 30th Street	A	1
696	1	202 11th Avenue	TE	1
696	65	210 11th Avenue	TE	1
697	1	220 11th Avenue	A	1
697	60	544 West 26th Street	A	1
698	1	244 11th Avenue	TE	1
699	1	262 11th Avenue	TE	1
700	1	282 11th Avenue	TE	1
701	1	302 11th Avenue	TE	1
701	68	314 11th Avenue	TE	1
701	70	312 11th Avenue	TE	1
705	1	380-386 11th Avenue	A	1
705	5	553-557 West 33rd Street	A	1
705	53	524-526 West 34th Street	A	1
705	54	528-556 West 34th Street	A	1
706	1	400 11th Avenue	A	1
706	10	545 West 34th Street	A	1
706	15	533-535 West 34th Street	A	1
706	17	527-531 West 34th Street	A	1
706	48	534-536 West 35th Street	A	1
706	50	538-540 West 35th Street	A	1
706	52	542-544 West 35th Street	A	1
706	55	550 West 35th Street	A	1
707	13	537-541 West 35th Street	A	1
707	16	529-536 West 35th Street	A	1
707	20	517-527 West 35th Street	A	1
707	51	524 West 36th Street	A	1
707	54	530 West 36th Street	A	1
707	56	542 West 36th Street	A	1



<b>Block</b>	<b>Lot</b>	<b>Property Address</b>	<b>Property Interest Sought (1)</b>	<b>Phase</b>
708	1	438 11th Avenue	TE	1
708	1	438 11th Avenue	PA	2
708	17	527 West 36th Street	A	2
708	20	525 West 36th Street	A	2
708	46	518 West 37th Street	A	2
708	48	522 West 37th street	A	2
708	65	450 11th Avenue	TE	1
709	1	456 11th Avenue	TE	1
709	2	460 11th Avenue	TE	1
709	3	462 11th Avenue	TE	1
709	17	525-539 West 37th Street	A	2
709	23	521 West 37th Street	A	2
709	25	513 West 37th Street	PA	2
709	46	510 West 38th Street	PA	2
709	52	522 West 38th Street	A	2
709	68	470 11th Avenue	TE	1
709	70	466 11th Avenue	TE	1
709	71	464 11th Avenue	TE	1
710	1	476 11th Avenue	TE	1
710	11	535 West 38th Street	A	2
710	15	520 West 39th Street	A	2
710	20	519 West 38th Street	A	2
1013	1	640 8th Avenue	TE	1
1032	5	351 West 41st Street	TE	1
1032	7	347 West 41st Street	TE	1
1032	48	330 West 42nd Street	TE	1
1032	101	355 West 41st Street	TE	1
1050	1	538 10th Avenue	TE	1
1050	49	440 West 41st Street	TE	1
1050	49	440 West 41st Street	PE	1
1050	61	554 10th Avenue	TE	1
1050	158	454 West 41st Street	TE	1
1069	1	514 11th Avenue	TE	1
1069	1	514 11th Avenue	PE	1
1069	24	503 West 40th Street	TE	1
1069	24	503 West 40th Street	PE	1
1069	29	537 10th Avenue	A	1
1069	34	547 10th Avenue	A	1
1069	136	502 West 41st Street	TE	1
1069	136	502 West 41st Street	PE	1
1070	5	521 West 41st Street	TE	1
1070	29	557 10th Avenue	TE	1
1070	29	557 10th Avenue	PE	1

Block	Lot	Property Address	Property Interest Sought (1)	Phase
<p><b><u>Notes</u></b></p> <p><u>1</u></p> <p>A = Fee Acquisition of Entire Parcel</p> <p>PA = Fee Acquisition of Portion of Parcel</p> <p>PE = Permanent Easement</p> <p>TE = Temporary Easement</p>				

### Exhibit B

Block	Lot	Property Address	Property Interest Sought (1)	Upper Limiting Plane (2)	Lower Limiting Plane (2)	Horizontal Distance From Street Frontage
670	70	231 11th Avenue	TE	25	-25	5
672	1	20 Joe DiMaggio Highway (West Side Highway)	TE	25	-25	5
673	1	261 11th Avenue	TE	25	-20	5
674	1	240-258 12th Avenue	TE	25	-20	5
696	1	202 11th Avenue	TE	30	-25	20
696	65	210 11th Avenue	TE	30	-25	20
698	1	244 11th Avenue	TE	25	-25	20
699	1	262 11th Avenue	TE	25	-20	20
700	1	282 11th Avenue	TE	25	-20	20
701	1	302 11th Avenue	TE	30	-20	20
701	68	314 11th Avenue	TE	30	-20	20
701	70	312 11th Avenue	TE	30	-20	20
708	1	438 11th Avenue	TE	40	-10	10
708	65	450 11th Avenue	TE	40	-10	10
709	1	456 11th Avenue	TE	45	-5	10
709	2	460 11th Avenue	TE	45	-5	10
709	3	462 11th Avenue	TE	45	-5	10
709	68	470 11th Avenue	TE	45	-5	10
709	70	466 11th Avenue	TE	45	-5	10
709	71	464 11th Avenue	TE	45	-5	10
710	1	476 11th Avenue	TE	50	5	10 to 25
1013	1	640 8th Avenue	TE	130	85	24.75
1032	5	351 West 41st Street	TE	110	55	25
1032	7	347 West 41st Street	TE	110	55	25
1032	48	330 West 42nd Street	TE	110	65	25
1032	101	355 West 41st Street	TE	110	55	25
1050	1	538 10th Avenue	TE	110	35	25
1050	49	440 West 41st Street	TE	110	35	25
1050	49	440 West 41st Street	PE	80	35	5
1050	61	554 10th Avenue	TE	110	35	25
1050	158	454 West 41st Street	TE	110	35	25
1069	1	514 11th Avenue	TE	75	20	*
1069	1	514 11th Avenue	PE	65	20	**
1069	24	503 West 40th Street	TE	80	35	25 to 29.79
1069	24	503 West 40th Street	PE	70	35	5 to 9.71
1069	136	502 West 41st Street	TE	80	35	25
1069	136	502 West 41st Street	PE	70	35	5
1070	5	521 West 41st Street	TE	75	30	25
1070	29	557 10th Avenue	TE	80	35	25
1070	29	557 10th Avenue	PE	70	35	5

Block	Lot	Property Address	Property Interest Sought (1)	Upper Limiting Plane (2)	Lower Limiting Plane (2)	Horizontal Distance From Street Frontage
<p><b>Notes:</b></p> <p><u>1</u>  PE = Permanent Easement  TE = Temporary Easement</p> <p><u>2</u>  Project Elevation 0.0000 feet refers to New York City Transit Authority Datum, which is 97.347 feet below the U.S. Coast and Geodetic Survey mean sea level at Sandy Hook, New Jersey, established in 1929.</p> <p>* This easement runs in an arc across the entire property from approximately the southwest corner to the northeast corner, with 166.31 feet of frontage on West 40th Street and 208.76 feet of frontage on West 41st Street.</p> <p>** This easement runs in an arc across the entire property from approximately the southwest corner to the northeast corner, with 112.77 feet of frontage on West 40th Street and 164.01 feet of frontage on West 41st Street.</p>						