

## **TERM SHEET**

The Brooklyn Heights Association (“BHA”), the Fulton Ferry Landing Association (“FFLA”), the New York Landmarks Conservancy, and the Preservation League of New York State (collectively, “Plaintiffs”),<sup>1</sup> on the one hand, and the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”), the Brooklyn Bridge Park Development Corporation (“BBPDC”), the Brooklyn Bridge Park Corporation (“BBPC”), (collectively, “Public Entities”), and St. Ann’s Warehouse (“SAW”), on the other hand (collectively, the “Parties”), agree to settle and resolve issues related to two lawsuits, each of which involves certain of the Parties, and to address certain aspects of potential future litigation and claims, on the following terms:

**Whereas**, Public Entities wish to promote the processes to secure legislative and regulatory approvals necessary to permit adaptive reuse of the Tobacco Warehouse (“TW”), in accordance with the Conditional Designation of SAW, as a theater, community space, and outdoor garden, to be leased to and used in large part by SAW (the “SAW Plan”);

**Whereas**, Plaintiffs have successfully litigated the public’s right to parkland protections under applicable federal and state law, compliance with which must precede any implementation of the SAW Plan and redevelopment of Empire Stores (“ES”);

**Whereas**, the Parties wish to expedite action to clear title to the former Empire Fulton Ferry State Park (“EFFSP”), including ES and TW, to ensure the continued unified management of Brooklyn Bridge Park;

**Whereas**, the Parties wish to expedite action to permit preservation and redevelopment to proceed at ES;

**Whereas**, BBPC wishes to convert Parcel B, as defined in the Letters Patent and which includes TW and ES, under section 6(f) of the federal Land and Water Conservation Fund, to allow its use for non-outdoor recreational purposes; and

**Whereas**, the Parties agree that TW should remain open to the public for outdoor recreational purposes until such time, if any, as BBPC, in conjunction with OPRHP, secures the federal approval necessary for BBPC to execute the SAW Plan

**Now Therefore**, the Parties agree as follows:

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<sup>1</sup> The organizations that joined as plaintiffs in the federal litigation, *Brooklyn Heights Ass’n, et al. v. National Park Service, et al.*, 11 CV 0226 (ENV), include the BHA, FFLA, the New York Landmarks Conservancy, and the Preservation League of New York State. The organizations that joined as plaintiffs in the state litigation, *Brooklyn Heights Ass’n, et al. v. The New York State Office of Parks, Recreation, and Historic Preservation, et al.*, Index No. 11201/11 (Vaughan, J.), include only the BHA and FFLA.

1. Plaintiffs will support legislation, in substantially the form of the attached bill, that (a) authorizes and validates the transfer of the former EFFSP to BBPDC<sup>2</sup> and the subsequent lease of the former EFFSP to BBPC; (b) provides that Parcel A shall be subject to parkland restrictions; (c) provides that the parkland restrictions on Parcel B shall be lifted when the National Park Service (“NPS”) approves conversion of Parcel B under federal conversion requirements, and (d) identifies substitute parkland of equal or greater fair market value than Parcel B (as determined by an independent appraiser in accordance with Uniform Appraisal Standards for Federal Land Acquisition (36 CFR §59.3(b)(2))). During the process for legislative review and vote, Plaintiffs shall be permitted to make any request through elected officials to make such legislation consistent with the terms of this settlement. The Parties agree that the attached draft legislation is consistent with the relevant terms of this settlement, except to the extent that the Plaintiffs take no position at this stage concerning whether the listed properties are sufficient substitute parkland.

2. Within a reasonable time after the legislation described in Paragraph 1 above is approved and signed into law, and until such time, if ever, that TW is restricted or closed for construction purposes after conversion, BBPC will reopen the TW to the public for events and programming appropriate for the space in accordance with BBPC’s existing policies for permitting events within Brooklyn Bridge Park, including considering requests equally from all eligible applicants, and subject to the process described in Paragraph 6 below. When not used for public events, BBPC will continue to allow public access to the TW for passive use, consistent with safety and security requirements.

3. After the legislation is signed into law and the TW is reopened to events as described in Paragraph 2 above, and before BBPC submits an application for conversion of Parcel B, BBPC will consult with the Brooklyn Bridge Park Community Advisory Council (“CAC”) and other interested parties in a public meeting (which may be at a regularly scheduled CAC meeting) concerning the proposed conversion.

4. The parties acknowledge that BBPC, in conjunction with OPRHP, intends to seek NPS approval to convert Parcel B. In connection with the proposed conversion:

- A. The Parties agree that BBPC, in conjunction with OPRHP, shall seek conversion of ES in accordance with the modified General Project Plan, which provides for a mix of commercial, retail, and office uses. Plaintiffs shall not oppose any such application for conversion of ES. BBPC, and OPRHP to the extent consistent with OPRHP’s statutory authority, agree to use all reasonable means to accelerate the conversion process, and BBPC agrees to expedite any and all steps necessary to maintain and preserve the ES from damage. In that regard, the Parties acknowledge that

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<sup>2</sup> The Letters Patent, dated July 8, 2010, between the New York State Urban Development Corporation, d/b/a Empire State Development Corporation and the BBPDC, divided Empire Fulton Ferry State Park into two parcels: Parcel A and Parcel B. The Letters Patent provides that “Parcel A shall be improved and maintained for park and recreation purposes. In the event that the premises described in Parcel A are not used for such purposes, the title thereto hereby conveyed shall revert to the People of the State of New York . . . .”

BBPC intends to issue a Request for Proposals for ES after the legislation is signed into law, which will provide, among other things, that any final transaction for redevelopment of ES will be contingent on NPS's approval of the ES conversion;

- B. The Parties agree that BBPC may seek conversion of TW for the purposes of the SAW Plan. Plaintiffs shall not oppose any such application for conversion of TW;
- C. In the event Plaintiffs believe in good faith that there is an issue concerning the appropriate valuation of Parcel B and/or the substitute parkland, they may, at their own expense, obtain and submit to NPS for its consideration an additional independent valuation. If NPS requires additional or other substitute parkland, Plaintiffs retain the right to advocate before NPS that such additional or other parkland be reasonably accessible from Brooklyn Bridge Park;
- D. The Parties agree on the following principle: **NPS should decide the conversion-related issues according to the standards imposed by federal law and regulation, on the merits, without respect to any political considerations, and free from any undue influence from, or lobbying by, any of the Parties;**
- E. During the conversion process, BBPC shall hold regular briefings for the CAC, which may be by telephone, no less than every 14 days. BBPC shall report to the public at CAC meetings on the status and progress of the conversion application. Subject to any limitations within FOIL, any correspondence between the Parties, on the one hand, and any federal or state governmental agency, on the other hand, concerning the TW and ES will be placed on BBPC's website promptly (and maintained thereafter for a period of at least 3 years). The Parties shall either: (a) memorialize a summary of their oral discussions with NPS and place such documents promptly on their website (and maintained thereafter for a period of at least 3 years); or (b) report the substance of their oral discussions with NPS during the regular reports to CAC. BBPC will, at the request of OPRHP or BBPDC, report on behalf of OPRHP and BBPDC, respectively; and
- F. During the conversion process, BBPC, BBPDC, and OPRHP shall not object to NPS agreeing to allow any hearing or comment period to members of the public at large.

5. If NPS approves conversion of TW for the purposes of the SAW Plan, and SAW leases TW, BBPC will ensure that the TW will be available for public use, on a principle of "equal and fair access to all eligible applicants," consistent with the SAW conditional designation. All public use of the TW will be coordinated with SAW's requirements and

schedule and other events in Brooklyn Bridge Park. BBPC and Plaintiffs agree on the following proposed policies to guide public use of the TW:

- A. Open Air Triangle Garden: The Open Air Triangle Garden will be open to the public for its use and enjoyment when Brooklyn Bridge Park is open. In addition, this space will be permitted by BBPC for private events and small gatherings, consistent with the established permitting policies of the Park.
- B. Community Room: The Community Room is a flexible event space for a variety of different uses including theater, community meetings, gallery or intimate musical performances, and classes for local schools and summer camp groups.
  - i. Free Community Use - Free use of this space will be permitted by BBPC at least several mornings per week and two evenings per month to accommodate community uses, as determined by the process described in Paragraph 6 below.
  - ii. Sliding Scale Rental - The Community Room will be available for rental, on a sliding scale at all other times, as determined by the process described in Paragraph 6 below. The rental schedule to be established will include rates for schools, non-profits and corporate uses. Rental equipment including chairs, tables and AV equipment would be made available for an additional rental fee in coordination with SAW.
- C. Main Stage/Lobby/Lounge: When not in use by SAW, and within the reasonable exercise of SAW's sole discretion, these spaces will be made available by SAW for larger community events at cost, as well as private rentals at market rates. SAW's lease will require, as a material term, that SAW shall adhere to the principle of "equal and fair access for all eligible applicants."

6. BBPC shall create a special committee, the Tobacco Warehouse Public Spaces Programming Committee ("TWSPSPC"). The TWSPSPC shall consist of the following: a representative of the Brooklyn Bridge Park Conservancy shall serve as Chair; a minimum of four representatives shall be appointed from the four plaintiff organizations; a minimum of one representative shall be appointed from each of the following organizations: the DUMBO community, Community Board 2, the Ingersoll Houses, and the Dodge YMCA. The CAC may appoint such other members as it deems appropriate. A subcommittee duly convened by CAC with such membership shall satisfy this requirement. Whether convened by BBPC or CAC, TWSPSPC shall, among other functions as agreed to with BBPC, have an opportunity to review requests for use of the Garden and Community Room and to make recommendations to BBPC before such requests are approved concerning: (a) applications to use TW prior to any conversion, in accordance with Paragraph 2 above; and (b) applications to use the Garden and Community Room at the TW after any conversion and completion of construction. BBPC will maintain the contractual right to make the Garden and Community Room open to other cultural, artistic, or community groups at times not in use by SAW. In this regard, BBPC will also consult with the TWSPSPC concerning the public use policies applicable to the Garden and Community Room before finalizing such policies.

- A. TWSPSC and BBPC shall act under rules or principles that allow equal and fair access to groups that apply for use of the facility. Applications for permits for events in Brooklyn Bridge Park are currently submitted electronically at least 21 days in advance of the proposed event. BBPC anticipates that it will arrange for applications for events in the Garden and Community Room to be made available electronically to TWSPSC at or about the time such applications are submitted to BBPC and that the TWSPSC will have a reasonable time period, consistent with the period for submitting applications (which may be modified in the future), to review and make a recommendation on each such application to BBPC. Any recommendation made by TWSPSC on any such application shall be afforded appropriate weight, and shall be duly considered, and if BBPC declines to follow a recommendation of the TWSPSC, it shall explain the basis of such decision upon request from the TWSPSC.
- B. The TWSPSC shall make whatever rules of internal procedure, consistent with the CAC bylaws, that the TWSPSC deems appropriate.
- C. Any sublease with SAW for the TW shall provide that the public, indoor space shall be adequately maintained within TW. TWSPSC shall be consulted in the selection and design of such public space, and, after construction, be given sufficient information to assure the continued availability of such space for the public.

7. If NPS permits conversion of TW for the purposes of the SAW Plan or of ES, a representative of the New York Landmarks Conservancy and/or the Preservation League of New York State, shall have reasonable opportunities to consult with the licensed professional engineer overseeing construction of ES or the SAW plan at TW and inspect the construction site, at the engineer's sole discretion, upon reasonable terms, and at the requesting Plaintiff's expense.

8. If NPS approves conversion of TW for the purposes of the SAW Plan, BBPC shall ensure that the design and construction of the SAW Plan is subject to the following historic preservation conditions:

- A. The SAW Plan will be carried out in compliance with the Letter of Resolution for the Brooklyn Bridge Park Project and its subsequent amendments entered into between the Urban Development Corporation, d/b/a Empire State Development Corporation, BBPDC, OPRHP, and the State Office of General Services, which establish procedures for implementing Section 14.09 of the Historic Preservation Law and require that the maintenance and rehabilitation of TW and ES be conducted in a manner that is compatible with and respects their architectural and historic significance;
- B. Consistent with its legal authority under Section 14.09 of the Historic Preservation Act, OPRHP, acting through SHPO, shall be consulted during the SAW project design phase; and

- C. Consistent with the Letters of Resolution, SAW shall prepare a Construction Protection Plan (“CPP”) for construction on or in the vicinity of TW in coordination with a licensed professional engineer and OPRHP and obtain OPRHP’s approval of the CPP prior to its implementation. All construction work done at or in the vicinity of TW shall comply with the CPP.
- D. Nothing in this agreement shall be construed to limit Plaintiffs from participating fully before NPS in all historic preservation aspects of the conversion process.

9. BBPC, BBPDC, and OPRHP will, during all aspects of the process generally outlined above, keep Plaintiffs and the public on notice of significant milestones, and make decisions in accordance with New York State Open-meetings law. BBPC will, at the request of OPRHP or BBPDC, provide such notice on behalf of OPRHP and BBPDC, respectively.

10. The Parties will announce the terms of this resolution in a mutually agreeable joint press release and shall not make any public statements inconsistent with the press release. OPRHP’s participation in a joint press release will depend on OPRHP obtaining necessary approvals. In the press release, BBPC will publicly acknowledge Plaintiffs’ important civic contributions, which encouraged greater protections for federal and state parkland under applicable law and directly resulted in the expansion of Brooklyn Bridge Park.

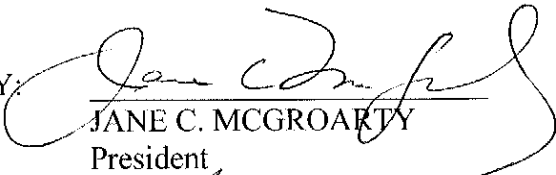
11. Immediately after the legislation is signed into law, which the parties agree will make the appeals in the state action unnecessary, BBPC and OPRHP shall withdraw their respective notices of appeal filed in the state action, *Brooklyn Heights Ass’n, et al. v. The New York State Office of Parks, Recreation, and Historic Preservation, et al.*, Index No. 11201/11 (Vaughan, J.).

12. When signed by the Parties, this term sheet shall be the settlement agreement and shall be enforceable. To the extent the Federal court has subject matter jurisdiction, the BBPC and Plaintiffs consent to enforcement by the United States District Court in the Eastern District of New York and further agree to file any action to enforce this settlement as a related case to *Brooklyn Heights Ass’n, et al. v. National Park Service, et al.*, Docket No. 11-CV-226 (ENV) (VVP), under E.D.N.Y Local Rule 50.3.1. By entering into this agreement the State of New York and its agencies including OPRHP do not waive their constitutional immunity from suit in federal court.

May 10, 2012

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Environmental Protection Bureau

DATE: MAY 10, 2012

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AN ACT to authorize and validate the alienation of certain parkland known as Empire Fulton Ferry state park in accordance with letters patent dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development Corporation and master ground lease agreement dated as of July 29, 2010 for a term of 99 years to the Brooklyn Bridge Park Corporation providing for the use of such land as a part of the Brooklyn Bridge Park Civic and Land Use Improvement Project

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

4 Section 1. Notwithstanding any other provision of law but subject to this act, the  
5 alienation and conveyance of the parkland described in section 5 of this act, formerly known as  
6 Empire Fulton Ferry state park, in accordance with the terms and conditions of letters patent  
7 dated July 8, 2010 from the office of general services to the Brooklyn Bridge Park Development  
8 Corporation (BBPDC) and master ground lease agreement dated as of July 29, 2010 for a term of  
9 99 years between the BBPDC and the Brooklyn Bridge Park Corporation (BBPC) and all acts of  
10 the office of parks, recreation and historic preservation, the office of general services, the New  
11 York State Urban Development Corporation, BBPDC and BBPC in relation thereto are hereby  
12 authorized and validated.

13 §2. The following conditions shall apply to the lands described in section 5 of  
14 this act:

15 (1) The lands described in section 5 of this act as Parcel A shall be used only for  
16 park and recreation purposes as a part of the Brooklyn Bridge Park.



1           (2) The lands described in section 5 of this act as Parcel B, including the buildings  
2 known as the “Tobacco Warehouse” and “Empire Stores”, may be discontinued as parkland and  
3 improved, constructed, reconstructed, used, leased, or otherwise transferred for such purposes as  
4 are consistent with the Brooklyn Civic and Land Use Improvement Project General Project Plan,  
5 as such Plan may be modified in accordance with the requirements of such Plan.

6           §3. With respect to the lands described in section 5 of this act as Parcel B, to  
7 which certain outdoor recreational restrictions currently apply as a condition of funding under  
8 the federal land and conservation fund act, which funding was previously expended for outdoor  
9 recreation improvements at the former Empire Fulton Ferry state park property by the office of  
10 parks, recreation and historic preservation, the discontinuance of Parcel B as parkland as  
11 authorized by section 2 of this act shall not occur until the National Park Service has approved a  
12 conversion of such parkland under such federal land and water conservation fund act, including  
13 satisfying the National Park Service that the conversion complies with all conditions that the  
14 National Park Service deems necessary to assure the lands to be substituted shall be equivalent in  
15 fair market value and usefulness to the lands being discontinued as outdoor recreation land.

16           §4. The lands described in section 6 of this act, which are of equal or greater fair  
17 market value than the lands authorized by section 2 of this act to be discontinued as parkland,  
18 shall be used for park and recreation purposes as a part of the Brooklyn Bridge Park within the  
19 time required by the National Parks Service for the completion of the conversion under the  
20 federal land and water conservation fund act and at such time shall be deemed to be dedicated for  
21 park and recreation purposes without further action.

22           §5. The land authorized by this act to be conveyed and leased as a part of the  
23 Brooklyn Bridge Park Civic and Land Use Improvement Project consists of Parcels A and B as

1 described below. The land authorized by this act to be discontinued as parkland and improved,  
2 constructed, reconstructed, used, leased, or otherwise transferred for such purposes as are  
3 consistent with the Brooklyn Civic and Land Use Improvement Project General Project Plan  
4 consists of Parcel B as described below.

5 Parcel A

6 ALL those certain plots, pieces or parcels of land with the buildings and improvements thereon  
7 erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of  
8 New York, bounded and described as follows:

9 Beginning at a point on the easterly side of New Dock Street, being 208 feet 6 inches northerly  
10 from the corner formed by the intersection of the northerly side of Water Street with the easterly  
11 side of New Dock Street; running thence easterly along the northerly side of a two story brick  
12 building and continuing to and along the northerly side of a four story brick building and a five  
13 story brick building a total distance of 692 feet 5 ¼ inches to a point on the westerly side of Main  
14 Street which is distant 190 feet 2 inches northerly from the corner formed by the intersection of  
15 the northerly side of Water Street with the westerly side of Main Street, as measured along the  
16 westerly side of Main Street; thence northerly along the westerly side of Main Street and the  
17 westerly side of Main Street if extended to the East River, 478 feet 8-3/4 inches to the pierhead  
18 line of the East River, established in 1857; thence southwesterly along the said pierhead line, 825  
19 feet 2-3/8 inches to the easterly side of New Dock Street; thence southerly along the easterly side  
20 of New Dock Street, 260 feet 9 3/4 inches to the corner, at the point or place of beginning;  
21 comprising approximately 6.408 acres.

22 Parcel B

23 ALL those certain plots, pieces or parcels of land with the buildings and improvements thereon  
24 erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of  
25 New York, bounded and described as follows:

26 Beginning at a point on the easterly side of New Dock Street, being 208 feet 6 inches northerly  
27 from the corner formed by the intersection of the northerly side of Water Street with the easterly  
28 side of New Dock Street; running thence easterly along the northerly side of a two story brick  
29 building and continuing to and along the northerly side of a four story brick building and a five  
30 story brick building a total distance of 692 feet 5 ¼ inches to a point on the westerly side of Main  
31 Street which is distant 190 feet 2 inches northerly from the corner formed by the intersection of  
32 the northerly side of Water Street with the westerly side of Main Street, as measured along the  
33 westerly side of Main Street; thence southerly along the westerly side of said Main Street 129  
34 feet 11 inches to a point thereon which is distant 60 feet 3 inches northerly from the corner  
35 formed by the intersection of the northerly side of Water Street with the westerly side of Main  
36 Street; thence westerly on a line forming an interior angle of 89 degrees 36 minutes 40 seconds  
37 with the westerly side of Main Street, 88 feet; thence southerly parallel with the westerly side of  
38 Main Street, 10 feet; thence westerly parallel with the northerly side of Water Street, 24 feet 8

1 inches; thence southerly on a line forming an interior angle of 89 degrees 32 minutes 30 seconds  
2 with the northerly side of Water Street, 50 feet to the northerly side of Water Street; thence  
3 westerly along the northerly side of Water Street 487 feet to the intersection of the northerly side  
4 of Water Street with the easterly side of New Dock Street; thence northerly along the easterly  
5 side of New Dock Street 208 feet 6 inches to the point or place of beginning; comprising  
6 approximately 2.651 acres.

7 §6. The replacement land required by this act to be added to the Brooklyn Bridge  
8 Park and used only for park and recreation purposes is described as follows:

9 Parcel 1 (Lot 21, Block 7)

10 ALL that certain plat, piece or parcel of land with buildings and improvements thereon, erected,  
11 situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New  
12 York, more particularly bounded and described as follows:

13  
14 Beginning at a point where the northerly line of Plymouth Street, 40 foot wide, intersects the  
15 easterly line of Washington Street, 60 foot wide; and from said beginning point running, thence  
16 along said easterly line of Washington Street and a portion of Lot 1, Block 7, now or formerly  
17 reputed owner the City of New York, north 02 degrees - 37 minutes - 18 seconds east, a distance  
18 of 213.24 feet to a point; thence along the dividing line between Lot 21 and Lot 1, Block 7, south  
19 23 degrees - 00 minutes - 05 seconds east, a distance of 236.45 feet to a point on the  
20 aforementioned northerly line of Plymouth Street; thence along said northerly line, north 87  
21 degrees - 24 minutes - 17 seconds west, a distance of 102.25 feet to the point and place of  
22 beginning; comprising approximately 0.250 acres.

23  
24 Parcel 2 (Portion of Washington Street)

25 All that certain plat, piece or parcel of land with buildings and improvements thereon, erected,  
26 situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New  
27 York, more particularly bounded and described as follows:

28  
29 Beginning at a point where the easterly line of Washington Street, 60 foot wide, intersects the  
30 northerly line of Plymouth Street, 40 foot wide; and from said beginning point running, thence  
31 along said northerly line of Plymouth Street, north 87 degrees - 24 minutes - 17 seconds west, a  
32 distance of 60.00 feet to a point; thence along the westerly line of Washington Street, north 02  
33 degrees - 37 minutes - 18 seconds east, a distance of 200.00 feet to a point; thence along the  
34 northerly terminus of Washington street, south 87 degrees - 24 minutes - 17 seconds east, a  
35 distance of 60.00 feet to a point; thence along the aforementioned easterly line of Washington  
36 Street, south 02 degrees - 37 minutes - 18 seconds west, a distance of 200.00 feet to the point and  
37 place of beginning; comprising approximately 0.275 acres.

38  
39 Parcel 3 (portion of Lot 1, Block 7)

1 ALL that certain plat, piece or parcel of land with buildings and improvements thereon, erected,  
2 situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New  
3 York, more particularly bounded and described as follows:  
4

5 Beginning at a point on the northerly line of Plymouth Street, 40 foot wide, said point being  
6 south 87 degrees - 24 minutes - 17 seconds east, a distance of 102.25 feet as measured along said  
7 northerly line of Plymouth Street from its intersection with the easterly line of Washington  
8 Street, 60 foot wide; and from said beginning point running, thence along the dividing line  
9 between Lot 1 and Lot 21, Block 7, north 23 degrees - 00 minutes - 05 seconds west, a distance  
10 of 126.21 feet to a point; thence the following six (6) courses through the bounds of Lot 1, Block  
11 7, now or formerly reputed owner the City of New York:  
12

13 Along the existing northerly line of a one story masonry building and the northerly face of  
14 concrete wall, north 66 degrees - 50 minutes - 39 seconds east, a distance of 96.97 feet to a point;  
15 thence continuing along the northerly face of said concrete wall, north 71 degrees - 04 minutes -  
16 57 seconds east, a distance of 20.79 feet to a point of curvature; thence continuing along the  
17 northerly and easterly face of said concrete wall, along a curve to the right, having a radius of  
18 8.73 feet, turning a central angle of 65 degrees - 00 minutes - 10 seconds, an arc length of 9.91  
19 feet, the chord of which bears south 73 degrees - 21 minutes - 49 seconds east, a chord distance  
20 of 9.39 feet to a point of compound curvature; thence continuing along the easterly face of said  
21 concrete wall, along a curve to the right, having a radius of 50.50 feet, turning a central angle of  
22 33 degrees - 25 minutes - 11 seconds, an arc length of 29.46 feet, the chord of which bears south  
23 24 degrees - 09 minutes - 09 seconds east, a chord distance of 29.04 feet to a point of tangency;  
24 thence continuing along the same, south 03 degrees - 57 minutes - 58 seconds east, a distance of  
25 25.10 feet to a point; thence continuing along the same, south 02 degrees - 36 minutes - 21  
26 seconds west, a distance of 110.43 feet to a point on the aforementioned northerly line of  
27 Plymouth Street; thence along said northerly line, north 87 degrees - 24 minutes - 17 seconds  
28 west, a distance of 77.18 feet to the point and place of beginning; comprising approximately  
29 0.358 acres.  
30

31 §7. This act shall take effect immediately.  
32  
33