



December 8, 2006

**Re: Determination and Findings Under Article 2 of the
New York Eminent Domain Procedure Law**

Atlantic Yards Land Use Improvement and Civic Project

Dear Interested Party:

This is to advise you that on December 8, 2006, the Board of The New York State Urban Development Corporation d/b/a The Empire State Development Corporation ("ESDC") approved the enclosed Determination and Findings under Article 2 of the New York Eminent Domain Procedure Law ("EDPL") in connection with the Atlantic Yards Land Use Improvement and Civic Project ("Atlantic Yards Project"). The Determination and Findings is scheduled to be published in the New York Post and the City Record on December 11 and 12, 2006.

The Atlantic Yards Project site encompasses approximately 22 acres in Brooklyn and includes (i) all the property bounded by Atlantic Avenue, Flatbush Avenue, Dean Street and Vanderbilt Ave., except that within Block 1128 (bounded by 6th Avenue, Dean Street, Carlton Avenue and Pacific Street) only lots 1, 2, 4, 85, 86, 87, 88 and 89 are included in the project site) and (ii) a parcel bounded by Atlantic Avenue, Flatbush Avenue, Pacific Street and 4th Avenue, including Block 927, lots 1 and 16 but excluding Block 927 lot 26 (the site of a community garden). The specific locations of the property interests that will be acquired by ESDC for the Atlantic Yards Project are set forth in the chart that is included in the Determination and Findings.

The Atlantic Yards Project site is located in the intersection of three major arterials: Atlantic Avenue, Flatbush Avenue, and 4th Avenue. Despite its location on these major arterials and the presence of ten subway lines and the LIRR Atlantic Terminal across the street and two other subway lines and 11 bus routes in the vicinity, the Atlantic Yards Project site has been a center of blight and decay. The Atlantic Yards Project will transform this blighted area into a vibrant, mixed-use development that capitalizes on the tremendous mass transit service available at this unique location. Additional reasons for the selection of the project site are set forth in Section II of the Determination and Findings.

Under Section 207 of Article 2 of the EDPL, anyone seeking judicial review of the Determination and Findings must do so within 30 days from the date of completion of ESDC's newspaper publication requirement on December 12, 2006 (i.e., no later than January 11, 2007). Under Sections 207 and 208 of Article 2 of the EDPL, the exclusive venue for judicial review of the Determination and Findings is the appellate division of the supreme court where any part of the property to be condemned is located, which, in this case, is the Appellate Division Second Department located at 45 Monroe Place, Brooklyn, New York 11201.

To request additional copies of the Determination and Findings without cost, and for general questions about the Atlantic Yards Project, please contact:

Atlantic Yards c/o ESDC
Empire State Development Corporation
633 Third Avenue
New York, New York 10017
Tel.: (212) 803-3233
atlanticyards@empire.state.ny.us

For questions about the eminent domain process, contact:

Mr. Charles S. Webb, III
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Encl.

The enclosed findings and determinations referred to in the letter are here:

<http://www.empire.state.ny.us/pdf/AtlanticYards/Determination%20and%20Findings.pdf>