

# Downtown Montauk Stabilization Project

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## **Real Estate Plan Appendix**

October 2014

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*Figure 1 – FIMP Study Area*

*Figure 2 – Downtown Montauk Project Area*

*Figure 3 – Lands, Easements and Rights-of-Entries*

*Figure 4 – Proposed Acquisition Schedule*

*Exhibit A – Estates to be Acquired*

*Exhibit B – Real Estate Map*

*Exhibit C – NFS Capability Assessment Checklist*

## 1. GENERAL:

This Real Estate Plan (REP) is in support of the Fire Island Inlet to Montauk Point, Coastal Storm Risk Management Project (FIMP), of which the Downtown Montauk Stabilization Project is a part. The purpose of this REP is to provide an overview of the real estate requirements for this Project. This document is intended for planning purposes and is not dispositive as to real estate costs and requirements. Actual project real estate costs and requirements may change based upon the final plans and specifications of the project.

**Authority.** The Fire Island Inlet to Montauk Point, NY, Combined Beach Erosion Control and Hurricane Protection Project was authorized by the River and Harbor Act of 14 July 1960 in accordance with House Document (HD) 425, 86th Congress, 2d Session, dated 21 June 1960. The authorized project provides for beach erosion control and storm damage risk reduction along five reaches of the Atlantic Coast of New York from Fire Island Inlet to Montauk Point by widening the beaches along the developed areas to a minimum width of 100 feet, with an elevation of 14 feet above mean sea level, and by raising dunes to an elevation of 20 feet above mean sea level. The authorized project also provides for construction of up to 50 groins, grass planting on the dunes, interior drainage structures at Mecox Bay, Sagaponack Lake and Georgica Pond and for subsequent beach re-nourishment

This authorization has been modified by Section 31 of the Water Resources Development Act (WRDA) of 1974, and Sections 103, 502, and 934 of the WRDA of 1986 (P.L. 99-662), which principally impact cost-sharing percentages and the period of renourishment. In addition, the Disaster Relief Appropriations Act of 2013 Public Law (PL) 113-2) of January 29, 2013 provides for 100% federal funding for the initial construction costs for ongoing construction projects such for Downtown Montauk Authorized But Unconstructed Project.

The authorized project was developed and implemented along five reaches as shown in Figure 3 as follows:

- Reach 1 – Fire Island Inlet to Moriches Inlet (FIMI)
- Reach 2 – Moriches Inlet to Shinnecock Inlet
- Reach 3 – Shinnecock Inlet to Southampton (Quogue to Agawam Lake)
- Reach 4 – Southampton to Beach Hampton (Agawam Lake to Hook Pond)
- Reach 5 – Beach Hampton to Montauk Point (Hook Pond to Montauk Point)**

**Location.** The overall FIMP Study Area extends from Fire Island Inlet east to Montauk Point along the Atlantic Coast of Suffolk County, Long Island, New York. The Montauk Reach is the eastern most of the five designated Reaches within the overall FIMP Study Area; Figure 1. It extends from Hook Pond in Easthampton to Montauk Point, a distance of about 20 miles.

The incorporated Hamlet of Montauk (Montauk) is located on the eastern end of the south shore of Long Island in the town of East Hampton, in Suffolk County, New York. Montauk occupies 17.5 square miles of land and is bounded to the west by the Hamlet of Napeauge, to the north by Block Island Sound, and to the south by the New York New Jersey Bight. Montauk is located within the eastern portion of the Beach Hampton to Montauk Point reach of FIMP. The downtown area is a tourist destination with a number of hotels, restaurants and shops. Forty-three buildings in downtown Montauk are located within the modeled 100-yr floodplain (storm with a 1% probability of occurring in any given year). The Downtown Montauk Project Area is identified in Figure 2.

Figure 1 –FIMP Study Area

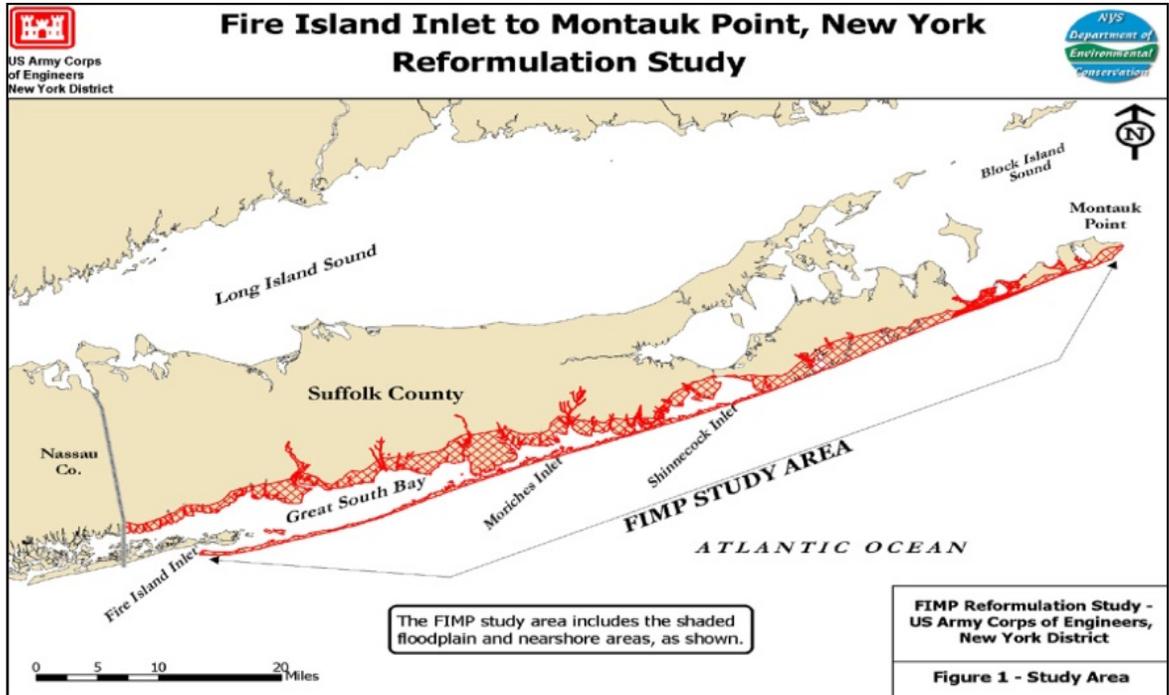


Figure 2 –Downtown Montauk Project Area



**Purpose and Need.** The Continued erosion and damages to coastal structures within the hamlet of Montauk is considered likely given the eroded state of the shorefront as a result of the impacts of Hurricane Sandy. Therefore, the goal of this stabilization effort is to provide a one-time stabilization and protection to the vulnerable shorefront within the hamlet of Montauk. This stabilization project is assumed to have a useful life of 15 years and would only address the impacts from Hurricane Sandy. It does not pre-suppose the outcome of the FIMP Reformulation or limit the range of options that would be implemented as part of the overall FIMP project.

2. REAL ESTATE REQUIREMENTS:

- a. Description of Land, Easements, Rights-of-Way, and Relocations and Disposal Area Project Requirements:

The Real Estate requirements, for this project, include certain lands, easements, relocations and rights of way (LERR). The total LER required in support of the Project is approximately 13.36 acres; approximately 2.13 acres required in perpetual easements, and approximately 11.23 acres required in access agreements over public land. The Project impacts 19 parcels, impacting 13 private owners and 6 public owners. This project will not require relocation of property or utilities.

Figure 3 – Real Estate Requirements: Lands, Easements, and Right-of-Entries

Real Estate Requirements/Impacted Parcels							
Location	District	Section	Block	Lot	Estate Type	Total Est. Easement Area (SF)	Property Ownership
Montauk Beach	300	50	1.00	30.000	Perpetual Beach Easement	31411.8	Private
Montauk Beach	300	50	1.00	29.000	Perpetual Beach Easement	4187.1	Private
Montauk Beach	300	51	4.00	1.000	Perpetual Beach Easement	6768.5	Private
Montauk Beach	300	50	2.00	27.000	Access Agreement	160857.0	Public
Montauk Beach	300	50	1.00	25.001	Perpetual Beach Easement	284.5	Private
Montauk Beach	300	50	2.00	28.000	Access Agreement	33796.4	Public
Montauk Beach	300	50	2.00	22.000	Perpetual Beach Easement	263.1	Private
Montauk Beach	300	50	1.00	23.005	Perpetual Beach Easement	2079.7	Private
Montauk Beach	300	50	1.00	28.000	Perpetual Beach Easement	1248.9	Private
Montauk Beach	300	50	2.00	24.001	Perpetual Beach Easement	2517.7	Private
Montauk Beach	300	50	2.00	26.001	Perpetual Beach Easement	1079.6	Private
Montauk Beach	300	50	1.00	27.001	Perpetual Beach Easement	735.4	Private
Montauk Beach	300	49	6.00	26.000	Perpetual Beach Easement	9721.0	Private
Montauk Beach	300	49	6.00	21.000	Perpetual Beach Easement	29421.4	Private
Montauk Beach	300	49	6.00	20.013	Perpetual Beach Easement	3259.2	Private
Montauk Beach	300	205	1.00	1.000	Access Agreement	268732.3	Public
Montauk Beach	300	47	3.00	12.000	Access Agreement (Staging)	4,672.2	Public
Montauk Beach	300	47	3.00	8.000	Access Agreement (Staging)	11,465.9	Public
Montauk Beach	300	47	3.00	1.000	Access Agreement (Staging)	9,671.0	Public
					<b>Total Easements: 19</b>		
					<b>Location of Temporary Work Area Easements (TBD)</b>		

<b>Contract 1: Downtown Montauk</b>	
Relocations	\$0.00
Acquisition Costs (13 Private Easements)	\$457,000.00
Incidental Costs	<u>\$41,800.00</u>
<b>Total Lands and Damages</b>	<b>\$498,800.00</b>

The responsibility for the acquisition of the necessary lands and easements is the responsibility of the Non-Federal Sponsor (NFS), the New York State Department of Environmental Conservation. The NFS may enter into sub-agreements with local municipalities to assist in carrying out its acquisition responsibilities. New York State Law (Title 4, Chapter 7, Sections 1531-1539 of the Unconsolidated Laws) require that lands upon which beachfill is placed must be municipally owned, while lands upon which dunes are erected may be privately owned with permanent easement granted to a municipality. In either case, the NFS must maintain the control it needs in order to certify the property interests required for the project.

The project will require two estates: The Perpetual Beach Storm Reduction Easement and The Temporary Work Area Easement. Where necessary estates are required on private property, the NFS will acquire an easement from the property owner. Where necessary estates are required on public property, the NFS will provide an Access Agreement. USACE will accept Access Agreements because of New York State common law restrictions on the alienation of public land.<sup>1</sup> All Access Agreements will incorporate the text of the relevant USACE standard estate.

<sup>1</sup> See United States v. City of New York, 96 F.Supp.2d 195, 202 (E.D.N.Y. 2000)(citing Williams v. Gallatin, 128 N.E. 121, 122 (1920)).

A Standard Perpetual Beach Storm Damage Reduction Easement (Standard Estate No. 26) is required for property along all areas where beachfill material is placed, or could potentially be placed, during construction and renourishment operations, to allow continual access to construct, operate, maintain patrol, repair, renourish, and replace the beach berm and dune. This Easement precludes development, other than approved dune crossings and ensures that the design section, including 25 feet landward of the landward toe of the dune, would be held inviolate from future development. Temporary Work Area Easements are necessary to secure staging areas for a period of three years for construction operations. The text of the interests is as follows:

PERPETUAL BEACH STORM DAMAGE REDUCTION EASEMENT  
(Standard Estate No. 26)

A perpetual and assignable easement and right-of-way in, on, over and across (the land described in Schedule A) (Tract No. \_\_) for use by the (Project Sponsor), its representatives, agents, contractors, and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach [a dune system] and other erosion control and storm risk management measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms [and dunes]; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the (Project Name), together with the right of public use and access; [to plant vegetation on said dunes and berms; to erect, maintain and remove silt screens and sand fences; to facilitate preservation of dunes and vegetation through the limitation of access to dune areas;] to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement (except \_\_\_\_\_); [reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns, the right to construct dune overwalk structures in accordance with any applicable Federal, State or local laws or regulations, provided that such structures shall not violate the integrity of the dune in shape, dimension or function, and that prior approval of the plans and specifications for such structures is obtained from the (designated representative of the Project Sponsor) and provided further that such structures are subordinate to the construction, operation, maintenance, repair, rehabilitation and replacement of the project; and further] reserving to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.

TEMPORARY WORK AREA EASEMENT  
(Standard Estate No. 15)

A Temporary Easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_), for a period not to exceed \_\_\_\_\_, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a (borrow area) (work area), including the right to (borrow and/or deposit fill, spoil and waste material thereon) (move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the

construction of the \_\_\_\_\_ Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

b. Non-Standard Estates

There are no non-standard estates required for this project.

c. Current Ownership

A list of all parcels for which real estate is required for the construction and operation and maintenance of the proposed project, may be found in Figure 3 above: Real Estate Requirements/ Impacted Parcels.

d. Real Estate Mapping

Real Estate Mapping for this project is attached to this document as Exhibit B. The map delineates the parcels impacted and easements required by this project.

3. EXISTING FEDERAL PROJECT.

Fire Island Inlet to Montauk Point, NY project (FIMP) was originally authorized in the River and Harbor Act of 1960. For this larger project that extends another 53 miles to the east and includes Fire Island, a General Design Memorandum (GDM) was prepared in 1963. The GDM recommended building groins and placing beach fill along the south shore of Long Island. Construction began in 1965, and 11 groins were built. Later in the 1960's 4 more groins were constructed bringing the number of groins constructed to 15. In the 1970s, the final two groins were built, for a total of 17. All of the constructed groins were located east of Fire Island. The FIMP project was halted in 1972 when New York State withdrew its support of the project. In 1978, an Environmental Impact Statement (EIS) was prepared by the USACE, New York District for the FIMP project. After consultation with the DOIU, the EIS was referred to the Council on Environmental Quality (CEQ), which found the document to be inadequate because of the lack of consideration of alternatives. In addition, CEQ indicated that the impact analysis needed to treat the complete length of the barrier island as a system. Work began on a Reformulation Study, but was halted in 1984 because of a disagreement about cost sharing. This disagreement was resolved following the adoption of the Water Resources Development Act of 1986.

Study efforts were resumed in 1994. However, the Reformulation Study is an effort that is currently ongoing. The barrier islands are subject to storms that could damage structures, open breaches, and cause flooding on the bayshore. With support from state and local interests, three Interim Plans have been developed while the Reformulation Study proceeds. The first Interim Plan entailed beachfill, dune construction, and support of the existing groin field in Westhampton Beach; a design by New York State was modified by the New York District to meet their policy and was approved by local and federal agencies. The Westhampton Interim Project was constructed in 1997 and 1998. The second interim project was the development of a Breach Contingency Plan (BCP). The BCP authorized the closing of a barrier island breach and rebuilding the beach and dunes to provide protection consisting of a berm at elevation 9 feet above NGVD. The BCP was developed and is in place. Another Interim Plan is protection of the commercial fishing facilities at the West of Shinnecock Inlet. The beach west of Shinnecock Inlet is subject to over wash with high breach potential, and also subject to severe erosion.

In response to P.L. 113-2 implemented in the aftermath of Hurricane Sandy, the Fire Island to Moriches Inlet (FIMI) Stabilization Hurricane Sandy Limited Reevaluation Report (HSLRR) has been approved (July 2014) as noted for reach 1. This Authorized but Unconstructed project at FIMI was approved as a Stabilization Project.

This Downtown Montauk Hurricane Sandy Limited Reevaluation Report (HSLRR) study and project is also developed as an Authorized but Unconstructed in accordance with P.L. 113-2 as a one-time stand-alone project that does not pre-supposed the outcome of the overall Fire Island to Montauk Point Reevaluation Report (FIMP GRR) that is an on-going study..

#### 4. EXISTING FEDERALLY-OWNED/PUBLICLY OWNED LANDS.

The Project area contains lands owned by The State of New York and The Town of East Hampton. Refer to Exhibit A – Estates to be acquired for identification of these properties. Part of the publicly owned land identified as required for the Project is identified as Kirk Park Beach, owned by the Town of East Hampton. The parcels associated with Kirk Park Beach are labeled as parcels 17, 18, and 19 on Exhibits A and B.

#### 5. LANDS OWNED BY THE NON-FEDERAL SPONSOR.

The Non-Federal Sponsor owns the submerged lands below Mean High Water.

#### 6. NAVIGATIONAL SERVITUDE.

Navigational Servitude is the right of the Government (under the Commerce Clause of the U.S. Constitution) to use, control, and regulate the navigable waters of the United States and the submerged lands thereunder for various commerce-related purposes including navigation and flood control. In tidal areas, the servitude extends to all lands below the mean high water mark. In non-tidal areas, the servitude extends to all within the bed and banks of a navigable stream that lie below the ordinary high water. However, since the purpose of the Downtown Montauk Stabilization Project is coastal storm risk management, the Government will not exercise its rights under the doctrine of Navigational Servitude for this project.

#### 7. INDUCED FLOODING

No induced flooding is anticipated due to the proposed project features.

8. BASELINE COST ESTIMATE FOR REAL ESTATE

The detailed Real Estate Cost Estimates are listed below. Private land holdings subject to shore erosion and required for project purposes have been appraised considering the benefits in accordance with the relevant statutes. The Uniform Appraisal Standards for Federal Land Acquisition guidelines regarding the use of special benefits when appraising partial acquisitions taking special benefits into account was used to develop the appraisal estimate. The consideration of special benefits when appraising partial acquisitions, taking special benefits is required by Federal policy and process.

The Baseline Cost Estimate for Real Estate contained below includes Perpetual Beach Storm Damage Reduction Easements costs for the project LERR.

The Total Baseline Cost for Real Estate for the project is **\$498,800** summarized as follows:

**Incidental and Acquisition Costs:**

**Incidental Costs:**

Administration of Perpetual Beach Storm Risk Management Easements (13),	
Access Agreements on Public Property (6),	
Temporary Work Area Easements (tbd), and	
Staging Rights-of-Entry (tbd): <b>(Total 19 Properties)</b> .....	\$ 38,000
	Contingency 10%.....
	<u>\$ 3,800</u>
	Subtotal.....
	<u>\$ 41,800</u>

**Acquisition Costs:**

Perpetual Beach Easement Costs (13).....	<u>\$ 457,000*</u>
*(cost value includes contingency)	

<b>TOTAL LANDS AND DAMAGES</b> .....	<b><u>\$ 498,800</u></b>
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9. PUBLIC LAW 91-646 RELOCATIONS

No properties have been identified for relocation in this Stabilization Project. Should it be determined that there are private property owners so impacted by this project as to require relocation, benefits under P.L. 91-646 will be appropriately applied.

10. MINERAL ACTIVITY

There is no present or anticipated mineral activity in the vicinity of the project that may affect this planned project.

11. TIMBER RIGHTS

There is no present or anticipated timber harvesting activity in the vicinity of the project that may affect this planned project.

## 12. ASSESSMENT OF NON-FEDERAL SPONSOR ACQUISITION CAPABILITY

The Non-Federal Sponsor, NYSDEC, maintains the legal and professional capability and experience to acquire the LER in support of the Project. The Non-Federal Sponsor has indicated real estate acquisition would be accomplished by their Office, with the assistance of Suffolk County. The Sponsor has condemnation authority and other applicable authorities that may apply if necessary to support acquisition. NYSDEC will assume responsibility to maintain the Project after construction and has been supplied a copy of the Non-Federal Sponsor Manual outlining its responsibilities for this project.

The Non-Federal Sponsor Capability Assessment Checklist is attached as Exhibit "C" herein.

## 13. ZONING

The enactment of zoning ordinances is not proposed to facilitate acquisition.

## 14. ACQUISITION SCHEDULE

The Non-Federal Sponsor will officially initiate real estate acquisition activities after final execution of the Project Partnership Agreement (PPA). Based upon the estimated PPA signing date of October 14, 2014, the following is a generic real estate timeline for initiation:

*Figure 4 – Proposed Acquisition Schedule*

A	PPA EXECUTION	START DATE: October 14, 2014
B	FORWARD MAPS TO NFS	WITH 1 WEEK OF START DATE
C	PLATS AND OWNER VERIFICATION	WITHIN 12 WEEKS OF SPONSOR MAP RECEIPT
D	INFORMAL VALUE ESTIMATES RECEIPT	WITHIN 8 WEEKS OF PLATS/OWNERS
E	REVIEW VALUE ESTIMATES	WITHIN 4 WEEKS OF ESTIMATE RECEIPT
F	INITIATE NEGOTIATIONS	WITHIN 12 WEEKS AFTER VALUE ESTIMATES
G	INITIATE CONDEMNATION	WITHIN 4 WEEKS OF COMPLETED NEGOTIATIONS
H	CLOSINGS	WITHIN 6 WEEKS OF COMPLETED NEGOTIATIONS
I	POSSESSION	WITHIN 1 DAY OF CLOSING
J	CERTIFICATION OF REAL ESTATE	WITHIN 1 WEEK OF POSSESSION: Requires transmittal of the NFS Authorization for Entry for Construction and Certificate of Authority.
	APPROXIMATE TOTAL	1 YEAR

The acquisition of Project real estate may or may not be complete prior to the date USACE advertises the contract for Project construction. In the event USACE decides to advertise the contract for construction prior to certification of real estate, the New York District shall obtain a waiver from USACE Headquarters prior to advertisement.

## 15. UTILITY AND FACILITY RELOCATIONS

This project will not require the relocation of Utilities or Facilities.

## 16. ENVIRONMENTAL CONCERNS

There are no known or suspected on-site Hazardous, Toxic and Radioactive Waste (HTRW) associated with this Project, and the real estate cost estimates contained do not reflect the presence of contamination.

#### 17. LANDOWNER AND LOCAL PROJECT SUPPORT

The Project Delivery Team (PDT) members have held Project pre-planning and coordination meetings with the NYSDEC (the Non-Federal Sponsor), the officials of Suffolk County, and the Town of East Hampton. These officials, representing the residents, have expressed initial support of this project. Local officials have offered their assistance to the Non-Federal Sponsor in its efforts to accomplish project needs.

#### 18. NOTIFICATION TO THE NON-FEDERAL SPONSOR

The USACE, New York District, Real Estate Division provided formal written notification of the risks associated with acquiring the LER for this project prior to the full execution of the Project Partnership Agreement (PPA) (as outlined in paragraph 12-31, Chapter 12, ER 405-1-12, Real Estate Handbook, 20 Nov 85) through letter dated 7 August 2014.

#### 19. RISK ANALYSIS

The risks identified with this project are considered minimal. The project real estate requires Perpetual Easements and Temporary Easements. There will be no fee acquisitions of homes or other properties. With the support of local officials, there does not appear to be opposition to the project at this time.

#### 20. POINTS OF CONTACT

The points of contact for this real estate plan is the undersigned at (917)790-8448 (email: [Noreen.D.Dresser@usace.army.mil](mailto:Noreen.D.Dresser@usace.army.mil)) or the Real Estate Project Delivery Team member Realty Specialist Esther M. Tinort at (917)790-8067 (email: [Esther.M.Tinort@usace.army.mil](mailto:Esther.M.Tinort@usace.army.mil)).

## Downtown Montauk Stabilization Project Exhibit A – Estates to be Acquired

No.	DISTRICT	SECTION	BLOCK	LOT	G/P* Govt/Pvt	OWNERSHIP	Easement Area (sq.ft>)	TYPE(S) ESTATES TO BE ACQUIRED	Reach
1	300	50.00	1.00	30.000	P	GIBBONS LOIS	31411.8	Perpetual Beach Easement	Montauk Beach
2	300	50.00	1.00	29.000	P	GIBBONS LOIS	4187.1	Perpetual Beach Easement	Montauk Beach
3	300	51.00	4.00	1.000	P	MARY CASH	6768.5	Perpetual Beach Easement	Montauk Beach
4	300	50.00	2.00	27.000	G	TOWN OF EAST HAMPTON	160857.0	Access Agreement	Montauk Beach
5	REMOVED								
6	REMOVED								
7	300	50.00	1.00	25.001	P	ROY TUCCILLO	284.5	Perpetual Beach Easement	Montauk Beach
8	300	50.00	2.00	28.000	G	TOWN OF EAST HAMPTON	33796.4	Access Agreement	Montauk Beach
9	300	50.00	2.00	22.000	P	DALAL PREIDEL	263.1	Perpetual Beach Easement	Montauk Beach
10	300	50.00	1.00	23.005	P	HOUSES ON THE OCEAN CORP	2079.7	Perpetual Beach Easement	Montauk Beach
11	300	50.00	1.00	28.000	P	OCEAN END APARTMENTS LTD	1248.9	Perpetual Beach Easement	Montauk Beach
12	300	50.00	2.00	24.001	P	ROYAL ATLANTIC CORP	2517.7	Perpetual Beach Easement	Montauk Beach
13	300	50.00	2.00	26.001	P	OCEAN BEACH RESORT LTD	1079.6	Perpetual Beach Easement	Montauk Beach
14	300	50.00	1.00	27.001	P	ANKIT & AVANI ENTERPRISES INC	735.4	Perpetual Beach Easement	Montauk Beach
15	REMOVED								
16	300	49.00	6.00	26.000	P	CITM LLC	9721.0	Perpetual Beach Easement	Montauk Beach
17	300	49.00	6.00	21.000	P	SURF CLUB AT MONTAUK CORP	29421.4	Perpetual Beach Easement	Montauk Beach
18	300	49.00	6.00	20.013	P	UNIT OWNERS	3259.2	Perpetual Beach Easement	Montauk Beach
19	300	205.00	1.00	1.000	G	STATE OF NEW YORK	268732.3	Access Agreement	Montauk Beach
20	300	47.00	3.00	12.000	G	TOWN OF EAST HAMPTON	4672.2	Access Agreement (Staging)	Montauk Beach
21	300	47.00	3.00	8.000	G	TOWN OF EAST HAMPTON	11465.9	Access Agreement (Staging)	Montauk Beach
22	300	47.00	3.00	1.000	G	TOWN OF EAST HAMPTON	9671.0	Access Agreement (Staging)	Montauk Beach

# Downtown Montauk Stabilization Project Exhibit B – Real Estate Map



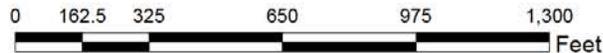
ID #	SECTION	BLOCK	LOT	ADDRESS	Parcel Area (ft <sup>2</sup> )	Easement Area (ft <sup>2</sup> )
1	50	1	30.000	159 PANTIGO RD	78,625.8	31,411.8
2	50	1	29.000	159 PANTIGO RD	69,913.8	4,187.1
3	51	4	1.000	PO BOX 905	46,652.8	6,768.5
4	50	2	27.000	159 PANTIGO RD	160,518.6	160,857.0
5	REMOVED					
6	REMOVED					
7	50	1	25.001	88 S EMERSON AVE	5,583.5	284.5
8	50	2	28.000	159 PANTIGO RD	33,541.2	33,796.4
9	50	2	22.000	12 W 17TH ST	5,867.5	263.1
10	50	1	23.005	92 S EMERSON AVE	21,514.7	2,079.7
11	50	1	28.000	PO BOX 730	11,775.1	1,248.9
12	50	2	24.001	PO BOX 936	57,222.6	2,517.7
13	50	2	26.001	108 S EMERSON AVE	70,697.9	1,079.6
14	50	1	27.001	84 S EMERSON AVE	23,381.3	735.4
15	REMOVED					
16	49	6	26.000	21 OCEANVIEW TER	89,907.8	9,721.0
17	49	6	21.000	55 NEWTOWN LN	281,833.2	29,421.4
18	49	6	20.013		39,813.8	3,259.2
19	205	1	1.000		6,526,217,570.4	239,183.5
20	47	3	12.000		9,670.3	4,672.2
21	47	3	8.000	159 PANTIGO RD	33,497.6	11,465.9
22	47	3	1.000	159 PANTIGO RD	32,365.1	9,671.0

**Notes:**

- Coordinates are in feet based on the New York State Plane Coordinate System, Long Island Zone, North American Datum of 1983 (NAD 83).
- Aerial Imagery collected by NOAA on November 4, 2012, as part of "Hurricane Sandy: Rapid Response Imagery of the Surrounding Regions".
- Landward Limit of Fill is based on profile surveys collected by OSI on October 17, 2013.
- Parcel Data obtained from Suffolk County.

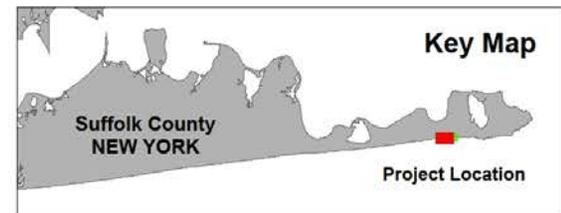
## Dune Reinforcements Easement Requirements Montauk, Suffolk County, New York

Scale 1:1600



**Legend:**

- - - - - Landward Limit of Fill
- Suffolk County Parcels
- Easements



August 26 2014  
**US Army Corps  
of Engineers**  
New York District

**Downtown Montauk Stabilization Project  
Exhibit C – NFS Capability Assessment Checklist**

**ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY**

**DOWNTOWN MONTAUK  
DOWNTOWN MONTAUK STABILIZATION PROJECT,  
SUFFOLK COUNTY, NEW YORK**

**I. Legal Authority.**

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes
- b. Does the sponsor have the power of eminent domain for this project? Yes
- c. Does the sponsor have "quick-take" authority for this project? Yes
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? No
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? No

**II. Human Resource Requirements.**

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? No
- b. If the answer to II.a is "yes," has a reasonable plan been developed to provide such training?
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? No

**III. Other Project Variables.**

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes
- b. Has the sponsor approved the project/real estate schedule/milestones? Yes

**IV. Overall Assessment.**

- a. Has the sponsor performed satisfactorily on other USACE projects? Yes
- b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. If sponsor is believed to be "insufficiently capable," provide explanation. Highly Capable.

**V. Coordination.**

- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? Yes

Concur:

  
Sue McCormick, P.E.  
Chief, Coast Erosion Management Program  
New York State Department of Environmental Conservation

Reviewed and approved by:

  
Noreen Dean Dresser  
Chief of Real Estate Division  
Real Estate Contracting Officer  
New York District Corps of Engineers