



On July 27, 1922, The New York Times reported on workers laying a yellow-and-black subway tile message in a Greenwich Village sidewalk at Seventh Avenue and Christopher Street. The marker declared to all that the site was the "Property of the Hess Estate which has never been dedicated for public purposes." While the gesture was not as dramatic nor as important as planting a flag on the moon or even at the North Pole, its message was clear. The Hess Estate had engaged in an act of defiance that, according to the newspaper, "arouse(d) considerable interest." But what events led to this strange declaration?

### Meandering Streets

Viewed from space, Manhattan shows an island in contrast. North of Fourteenth Street, the thoroughfares are an orderly rectangular grid-shaped pattern designed under the Commissioner's Plan of 1811. As our eyes move south, the orderly design cedes to a random, squashed, meandering street pattern. South of Fourteenth Street to Battery Park, the island's southern tip, the streets are without order. Initially, the roads consisted of Native American paths. Starting in the 1600s with the Dutch and later with the English, the haphazard, planless

# THE HESS TRIANGLE

New York City's tiniest property lives on in spite

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*This article was originally published in the Winter 2022 issue of New York Archives. You can learn more about New York state history at [nysarchivestrust.org](http://nysarchivestrust.org).*



growth continued. Residents and visitors navigate the narrow, multi-directional streets in its neighborhoods, like Greenwich Village, Chinatown, SoHo and the Financial District. As the centuries passed, the two areas, especially midtown and lower Manhattan, grew even more varied with independent commercial centers and distinct cultural cadences.

In 1910, the story of what would come to be called the Hess Triangle began. At that time, Seventh Avenue ended at Eleventh Street, three blocks north of Greenwich Village. The City determined it was time to extend and widen Seventh Avenue as a major thoroughfare. The project would start at West Eleventh Street, Seventh Avenue and Greenwich Avenue, one of New York's "five points." It would end 11 blocks south, at Clarkson, Varick and Carmine Streets. As part of the City's contract with two rapid transit companies, the Interborough Rapid Transit Company (IRT) would build a subway line down the new Seventh Avenue South to Varick Street. The City's objective was to improve the connectivity between the two commercial centers, midtown and lower Manhattan. Not everyone agreed with the City's proposal. An October 5, 1913, New York Times article opined that the project would "ruthlessly cut through" and "virtually cut the heart out of old Greenwich Village."

To construct this 100-foot-wide dual-transportation project, the city would condemn about 253 structures and acquire numerous vacant parcels. Churches and other community buildings, multistory office and apartment buildings and other structures would require demolition. One of the buildings the city would demolish was the five-story Voorhis apartment building owned by the David M. Hess Estate (David had died in 1907).

## Eminent Domain

Property acquisitions for a public project of Seventh Avenue's magnitude would require the city to exercise eminent domain, the government's right to take private property for public purposes. The government's rights and obligations to property owners in such cases are embedded in the U.S. Constitution's Fifth and Fourteenth Amendments "No person shall...be deprived of... property, without due process of law; nor shall private property be taken for public use, without just compensation." When the City took title to the needed properties in 1913, it had not yet determined the amounts believed to be just compensation. However, according to its charter, the city could demolish the structures before it decided property values. For many owners, the promise of due process and payment of just compensation were insufficient to outweigh their aversion to the project, process or compensation. Some, including the Hess family, decided to resist by all legal means possible. However, the estate failed to stop the city's taking, which is commonly the case with eminent domain cases. In 1913, New York condemned the Hess property and demolished the five-story apartment building.

## Spite Property

Serendipitously, through a surveying error, a small, triangular remnant, containing approximately 325 square inches (about the size of a Monopoly game board), remained in the family's ownership. Folklore recounts that the city had the audacity to ask the Hess family to donate this remnant. The family not only declined the request, but sued the city again. This time, they succeeded in retaining ownership.

On July 26, 1922, Frank Hess, David's son, turned this valueless remnant property into a spite parcel, a property intended to annoy others. Mr. Hess had a black-and-yellow mosaic embedded in the sidewalk. The 27 ½" x 27 ½" x 25 ½" plaque reads: "Property of the Hess Estate which has never been dedicated for public purposes." In 1938, the estate sold the tiny property to Village Cigars for \$1,000 (\$18,000 in 2021), thus ending its unique status as New York City's smallest property. Over the years, the combined property has transferred several times. According to the Office of the (New York City) Register, the last transfer occurred in 1995 to 70 Christopher Realty, LLC.

The Hess Triangle is now cracked and worn from being trodden on for almost 100 years. However, it remains a symbol of one family's defiance, a trait often considered emblematic of many New Yorkers and a symbol of the independent, nonconformist Greenwich Village character.

## The Archives Connection

The New York Public Library's Lionel Pincus and (NYPL) Princess Firyal Map Division includes the "Atlases of New York City" with a subcollection "Atlas of the City of New York, Manhattan Island." See "Plate 10: Bounded by W. 14th Street ..." and "Plate 35: Bounded by W. 11th Street..." Both are available for viewing in the library's digital collection. The New York City Department of Finance, Office of the City Register, records and maintains all property-related documents, including deeds, mortgages and leases for every borough excepting Staten Island. The office's Automated City Register Information System (ACRIS) allows the searching and viewing of property records online. ✪



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