

**Authorizing The Sale of Real Property, Located At 701 Grant Avenue, Lake Katrine, (Town of Ulster), Ulster County, New York. Tax Parcel ID#: 39.82-1-30.420 To Sarah Frei; Authorizing The Chair Of The Ulster County Legislature To Execute All Documents Required For Said Acquisition – Department Of Public Works (Buildings & Grounds)**

Referred to: The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and the Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chair of the Public Works, Capital Projects and Transportation Committee, Kathy Nolan, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Public Works; and

WHEREAS, the Commissioner of Public Works requests that 701 Grant Avenue be sold for \$4,000,000.00 and net proceeds of said sale be returned to the Ulster County fund balance in the amount of \$3,840,000.00; and

WHEREAS, said two-story commercial office building consists of approximately 310,000 square feet; and

WHEREAS, Under Chapter 50-A RPTL Article 11 SECTION 1166, whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, which shall include any and all gas, oil or mineral rights associated with such real property, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law; and

WHEREAS, the Ulster County Legislature, through Resolution 320 of 2023, authorized the process of a direct sale of the property located at 701 Grant Avenue in the Town of Ulster; and

WHEREAS, the Ulster County Legislature, through Resolution 586 of 2023, approved a contract with Vetere Real Estate LTD to market the 701 Grant Avenue property for sale; and

**Resolution No. 251      May 14, 2024**

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WHEREAS, under the contract between Ulster County and Vetere Real Estate LTD, the County agreed to pay a commission fee of 4% of the purchase price, of which 50% of said commission fee shall be paid to the buyers licensed real estate broker and 50% of said commission fee shall be paid to the sellers licensed real estate broker, amounting to \$160,000.00; and

WHEREAS, Under Chapter 50-A RPTL Article 11 SECTION 116, no such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district; and

WHEREAS, Ulster County is a tax district authorized to sell a property acquired through a tax foreclosure, so long as the sale has been approved and confirmed by the legislature, as stated under RPTL §1166; now, therefore be it

RESOLVED, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Section 4.1.4 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and, be it further

RESOLVED, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; and, be it further

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute an agreement, any amendments thereto, and such other documents as may be necessary to establish the terms and conditions pursuant to which the County of Ulster shall sell lands at 701 Grant Avenue, Lake Katrine in the Town of Ulster (Tax Map Parcel ID #; 39.82-1-30.420) consisting of approximately 14.6 acres in the form as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the Ulster County Attorney,

and moves its adoption.

