

Conveying Parcel Of County-Owned Real Property Acquired Pursuant To Article 11 Of The Real Property Tax Law For Unpaid Taxes To The Town Of Shandaken – Department Of The Environment

Referred to: The Energy, Environment and Sustainability Committee (Chairwoman Greene and Legislators Hansut, Levine, Maloney, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Criswell, Roberts, and Ronk)

Chairwoman of the Energy, Environment and Sustainability Committee, Manna Jo Greene, and Deputy Chair Gina Hansut offer the following:

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

WHEREAS, the County acquired a property located at the end of Deer Lane in the Town of Shandaken, consisting of 0.24 acres of vacant land identified as SBL No. 12.18-2-5 (the “Subject Property”), in 1985 pursuant to a tax foreclosure proceeding under Article 11 of the Real Property Tax Law; and

WHEREAS, the Subject Property lies entirely within a designated regulatory floodway whereby it is appropriate that the parcel remain undeveloped; and

WHEREAS, the Town of Shandaken has requested that the County convey the Subject Property to the Town for the purpose of using it as a seasonal plow turn-around and for other public purposes; and

WHEREAS, the Subject Property’s assessed value is FIVE HUNDRED AND 00/100 (\$500.00) DOLLARS; and

WHEREAS, pursuant to Resolution #69-23 of May 1, 2023, the Town has offered to pay to the County ONE HUNDRED DOLLARS AND 00/100 (\$100.00) for the purchase of the Subject Property; and

WHEREAS, Section 72-h of the New York General Municipal Law authorizes the Ulster County Legislature to sell the Subject Property to the Town, either without consideration or for such consideration and upon such terms and conditions as shall be approved by the Ulster County Legislature, and permits the Town to acquire the Subject Property; and

WHEREAS, the Ulster County Legislature, in accordance with the County of Ulster’s SEQRA Type II List, adopted under provisions of the State Environmental Quality Review Act, 6 NYCRR Part 627 (“SEQRA”) by Resolution No. 118 on April 20, 2010, has examined the proposed conveyance and determines it to be a Type II

Resolution No. 350 June 13, 2023

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action, per Section 4.1.5 of the County of Ulster's SEQRA Type II List, with no further consideration necessary under SEQRA; now, therefore be it

RESOLVED, the Ulster County Legislature has determined that the Subject Property is surplus property that is not needed by the County of Ulster for County purposes; and, be it further

RESOLVED, that the Ulster County Legislature hereby finds and determines that the Subject Property is appropriate for conveyance to the Town of Shandaken for the purposes referenced herein; and, be it further

RESOLVED, that the Subject Property shall be conveyed to the Town of Shandaken with consideration, in the amount of ONE HUNDRED DOLLARS AND 00/100 (\$100.00), subject to the terms and conditions included in the deed; and, be it further

RESOLVED, that upon receipt of such payment with respect to the Subject Property, the Chair of the Ulster County Legislature is hereby authorized on behalf of the County to make, execute and deliver to the Town of Shandaken a quitclaim deed conveying the interest of the County in the Subject Property, which quitclaim deed shall contain the covenant that the County of Ulster shall in no event be or become liable for any defects in title conveyed for any cause whatsoever, and that no claim or demand of any nature shall ever be made against the County of Ulster arising from such sale, conveyance, or any proceedings leading thereto,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Energy, Environment and Sustainability on _____.

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

\$100.00 – ADDITIONAL 2023 REVENUE DOLLARS