

Authorizing The Conveyance Of County-Owned Property To The Original Owner – Department Of Finance

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Richard Parete and Legislators Donaldson, Greene, Roberts and Ronk), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney and R. Parete)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chairman Donald Gregorius offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Finance; and

WHEREAS, the Commissioner of Finance has requested permission to accept payment of the full amount of back taxes plus the recording fee on a certain parcel of real property, referenced below, acquired by the County by reason of non-payment of taxes so that said real property may be deeded back to the Original Owner, the Kenneth Adin Trust; and

WHEREAS, the Kenneth Adin Trust expects to finance the payment of the full amount of taxes plus the recording fee at a closing that will take place subsequent to the date of the adoption and approval of this Resolution; and

WHEREAS, this resolution is subject to the Original Owner making payment in the sum of \$42,987.46 plus the recording fee to the County in the form of a certified check, cashier's check, cash or money order on or before November 30, 2015, or in the alternative, if the closing occurs after November 30, 2015 and prior to or on December 31, 2015, the Original Owner will make payment in the sum of \$43,334.13 plus the recording fee to the County in the form of a certified check, cashier's check, cash or money order; and

WHEREAS, the Original Owner and any subsequent owner shall also be responsible for the 2015-16 school tax and all subsequent tax levies; and

WHEREAS, this transaction constitutes a Type II action under section 4.1.5 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List that was adopted in Resolution No. 118 on April 20, 2010; and

WHEREAS, as per section 3 of the County's Type II List, this 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; now therefore, be it.

Resolution No. 447 November 17, 2015

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RESOLVED, that the Ulster County Commissioner of Finance is authorized to accept payment as above set forth with respect to the following parcel:

TOWN	PARCEL #	DEED TO	AMOUNT
Rosendale SBL#: 55.4-1-1	96	Kenneth Adin Trust 718 Second Ave. Kingston, NY 12401	\$42,987.46 plus recording fee (amount payable on or before November 30, 2015).
			-OR- \$43,334.13 plus recording fee (amount payable after November 30, 2015, and prior to and on December 31, 2015)

and, be it further

RESOLVED, the Chairman of the Ulster County Legislature is hereby authorized to make, and execute a quitclaim deed to the Original Owner conveying the interest of the County in the parcel, 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, or that no claim or demand of any nature shall ever be made against the County of Ulster arising from such sales, conveyances, or any proceedings leading thereto, and the quitclaim deed shall be held in escrow by the County Attorney until the time of closing and payment to the County has been made in full of the amount of back taxes referenced herein together with any filing or other fees; and, be it further

RESOLVED, that upon receipt of such payment to the County of Ulster and acceptance by the Commissioner of Finance of such payment, the County Attorney is hereby authorized to release the deed from escrow and deliver it to the Original Owner; and, be it further

RESOLVED, that should payment as set forth herein not be made on or before December 31, 2015, then this resolution shall be deemed null and void in all respects, and move its adoption.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator R. Parete arrived at 7:21 PM)
(Absent: Legislator Ronk)

Passed Committee: Laws and Rules, Governmental Services on November 16, 2015

Passed Committee: Ways and Means on November 17, 2015

FINANCAL IMPACT:

TOTAL UNPAID TAXES: \$42,987.46 (amount payable on or before November 30, 2015)

-OR-

\$43,334.13 (amount payable after November 30, 2015
and prior to and on December 31, 2015)

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17th Day of November in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of November in the year Two Thousand and Fifteen.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
19th Day of November, 2015.

Approved by the County Executive this
23rd Day of November, 2015.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Michael P. Hein
Michael P. Hein, County Executive