

Authorizing The County Treasurer To Assign It Rights On A Parcel Of Property Previously Offered At Public Auction

The Ways and Means Committee (Chairman Lomita and Legislators Bartels, Berardi, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) offers the following:

WHEREAS, the County Treasurer has requested permission to accept a bid for a parcel of property as hereinafter described, acquired by the county by reason of nonpayment of taxes, and which has been offered and not sold at previous auctions, and

WHEREAS, the taxes date back to 1995, and the property is .37 acre, and is a former gas station, and it is felt that it could be a liability for the County to own, and

WHEREAS, prospective purchaser of such property in the Town of Plattekill, tax map number 101.1-2-29, now wishes to acquire this despite knowledge of the condition, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Ulster County Treasurer is authorized to accept payment as follows:

<u>PREVIOUS OWNER</u>	<u>TOWN</u>	<u>BIDDER</u>	<u>BID AMOUNT</u>
Nome Properties Inc. SBL#: 101.1-2-29 Unpaid taxes: \$38,760.61	Plattekill	Sicario's Auto Detailing Inc. 871 State Route 208 Gardiner, NY 12525	\$38,761.00

, and

FURTHER RESOLVED, that the authorization to accept the bid of the buyer herein is conditioned upon the buyer entering into an agreement whereby he shall hold harmless Ulster County, its officers, agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties and damages whatsoever kind or nature arising out of, in connection with, or incident to the acceptance of his bid herein, the transfer of the subject real property herein, and the subject real property itself,

FURTHER RESOLVED, that the buyer shall further agree, in writing, that he shall assume the defense of Ulster County and its officers and employees in all legal actions and proceedings or claim proceedings arising out of, in connection with, or incident to this transaction and shall pay all defense expenses, including reasonable

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attorney's fees, expert fees, and cost incurred by Ulster County on account of such litigation or claims, and shall satisfy any judgment rendered in connection therewith or pay or reimburse Ulster County's payment of any sums reasonable to settle such litigation costs, and

FURTHER RESOLVED, that upon receipt of such payment with respect to this parcel and upon execution of said hold harmless agreement as specified herein, the Chairman of the Ulster County Legislature is authorized and directed to make, execute and deliver to said buyer making payment, a Quitclaim deed assigning without recourse the interest of the County in said parcel, which Quitclaim Deed shall contain the covenant that the County of Ulster, shall in no event be or become liable for defects in title so 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 sale or any proceedings leading thereto,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Aiello and Sheeley)

FINANCIAL IMPACT:
NONE

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