

Authorizing The Chairman Of The Ulster County Legislature To Convey A Parcel Of County-Owned Property Previously Offered At Public Auction To The Village Of Ellenville – Department Of Finance

Referred to: The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano, & Rodriguez)

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

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

WHEREAS, the Village of Ellenville wishes to acquire a parcel of County-owned property hereinafter described, which was acquired by the County by reason of non-payment of taxes and has previously been offered at a Public Auction; and

WHEREAS, said parcel # 176 of the 2013 Public Auction, listed as 97 feet by 130 feet, vacant, in the Town of Wawarsing, Village of Ellenville, section, block and lot number 91.22-8-13 has unpaid taxes in the amount of \$4,852.83 dating back to the year 2010; and

WHEREAS, the Village of Ellenville intends to utilize this parcel as part of a stream bank stabilization project which has a municipal purpose and public benefit; and

WHEREAS, Section 72-h of New York State General Municipal Law permits the Legislature of the County of Ulster to transfer the property described herein to another municipality, subject to approval by the Village of Ellenville, either without consideration or for such consideration and upon such terms and conditions as shall be approved by the Ulster County Legislature and the Village Board of the Village of Ellenville; and

WHEREAS, 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

WHEREAS, this conveyance 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. 160 June 18, 2013

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RESOLVED, that the Ulster County Commissioner of Finance is directed to write off the unpaid taxes; and, be it further

RESOLVED, that the Ulster County Legislature hereby finds and determines that the property described herein and which is intended to be conveyed herein is appropriate for conveyance to the Village of Ellenville for municipal purposes; and, be it further

RESOLVED, that such property shall be conveyed to the Village of Ellenville without consideration; and, be it further

RESOLVED, that the Village of Ellenville shall not name the subject property after any political figure; and, be it further

RESOLVED, that the deed to the property be prepared as follows:

PREVIOUS OWNER	TOWN	DEED TO
Teitelbaum, Rochelle	Wawarsing	Village of Ellenville
Parcel # 176	Village of	Village Hall
SBL #: 91.22-8-13	Ellenville	2 Elting Court
		Ellenville, NY 12428

and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature is authorized and directed to make, execute and deliver to said party, a Quitclaim Deed conveying the interest of the County in said parcel, which Quitclaim Deed shall contain the covenant that the said 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 the proceedings leading thereto; and, be it further

RESOLVED, that such conveyance is subject to acceptance and execution by the Village of Ellenville of a conveyance and indemnification agreement, and further subject to authorization by the Village Board of the Village of Ellenville, upon the adoption of a duly certified Resolution of that body within ninety days of the date of approval of this resolution by the County Executive; and, be it further

