

**Authorizing The Commissioner Of Finance To Accept Payment Of Back Taxes And Authorizing The Chairman To Convey County Owned Property To Original Owner**

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

WHEREAS, two parcels of property identified as 376/382 Route 32S, Town of Gardiner, County of Ulster, State of New York, SBL #94.2-1-2.100 **and** #94.2-1-2.200 (the "Parcels") were foreclosed on by the County of Ulster as a result of non-payment of taxes, and

WHEREAS, as a result of said foreclosure, Ulster County held title to said Parcels and the Parcels were listed for public auction on April 22, 2009, and

WHEREAS, said Parcels were removed from the April 22, 2009 auction list pursuant to a Court Order, and

WHEREAS, prior to the foreclosure, the record owners of the Parcels were Murray Adler and Gloria Adler, and

WHEREAS, through their legal representatives, the previous owners of the Parcels have contracted to sell the Parcels and have agreed to pay the full amounts of back taxes due, at the closing for the sale of the Parcels, and

WHEREAS, the funds from the sale will allow payment of the full amounts due, after the three-day rescission period has expired, which amounts are \$72,357.80 in relation to SBL #94.2-1-2.100 and \$54,710.54 in relation to SBL #94.2-1-2.200 if paid by June 30, 2009, in the form of a certified check, cashier's check, cash or money order, and to pay the recording fees for the deeds in the amounts of \$310.00 and \$185.00 respectively, and

WHEREAS, the Ulster County Commissioner of Finance has requested permission to accept payment of the full amount of back taxes on the Parcels of real property acquired by the County by reason of non-payment of taxes, and

WHEREAS, if such amount is not paid to the Ulster County Commissioner of Finance at the closing of the sale currently pending or by the end of the business day on Tuesday, June 30, 2009, whichever earlier occurs, this resolution will be null and void, and the quitclaim deeds conveying the Parcels back to the previous owners will be rescinded and destroyed, and

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WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of members voting approval, now, therefore, be it

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

<u>TOWN</u>	<u>PARCEL #</u>	<u>DEED TO</u>	<u>AMOUNT</u>
Gardiner	16	Murray Adler and Gloria Adler	\$72,357.80
SBL#:94.2-1-2.100		PO Box 442	
		Modena, NY 12548	
Gardiner	17	Murray Adler and Gloria Adler	\$54,710.54
SBL#:94.2-1-2.200		PO Box 442	
		Modena, NY 12548	

and, be it further

RESOLVED, that if such amounts are not paid to the Ulster County Commissioner of Finance at the closing of the sale now pending or by the end of the business day on Tuesday, June 30, 2009, whichever earlier occurs, this resolution will be null and void, and the quitclaim deeds conveying the Parcels back to the previous owners will be rescinded and destroyed, and, be it further

RESOLVED, that notwithstanding the foregoing, the County Attorney shall have full authority to extend or not extend this deadline if she deems it necessary and in the best interest of the County, and, be it further

RESOLVED, with respect to these Parcels, that the Chairman of the Ulster County Legislature is authorized and directed to make, execute and deliver to the County Attorney, quitclaim deeds conveying the interest of the County in said Parcels, which quitclaim deeds shall be held in escrow by the County Attorney until such time as the owners' representatives make payment in full as stated above, and which quitclaim deeds 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 any proceedings leading thereto

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 28 NOES: 0  
(Absent: Legislators Aiello, Lomita, R.A. Parete, Roberti and Sheeley)

FINANCIAL IMPACT:  
TOTAL UNPAID TAXES: \$127,068.34

0632

STATE OF NEW YORK  
ss:  
COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10<sup>th</sup> Day of June, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 12<sup>th</sup> Day of June in the year Two Thousand and Nine.

/s/ Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
12<sup>th</sup> Day of June, 2009.

Approved by the County Executive this  
\_\_\_\_ Day of June, 2009.

/s/ Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

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Michael P. Hein, County Executive