

**Conveying A Parcel Of County-Owned Real Property Located In The Town Of Lloyd To Provide For Ownership And Maintenance Associated With The Town Of Lloyd Monument Park Constructed By New York State Department Of Transportation**

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) and Co-Sponsors Legislators Hansut and Maio offer the following:

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

WHEREAS, it has been determined that the County of Ulster is the owner of a parcel of property situated at the intersection of U.S. Route 9W and State Route 44/55 in the Town of Lloyd, and

WHEREAS, this parcel was included in the reconstruction of the intersection by the New York State Department of Transportation, as shown on New York State Conveyance Map No. 394C Parcel No. 424, being a portion of the property acquired in fee by virtue of New York State Conveyance Map 127R-1 which was listed on Form 6 dated April 16, 1938, signed by Frank H. Stang, Clerk of the Ulster County Board of Supervisors, and sent to the General Files on April 20, 1938, and

WHEREAS, the subject parcel was improved by the New York State Department of Transportation, and these improvements include a walkway and signage, and

WHEREAS, as part of the reconstruction of U.S. Route 9W, it was agreed that once the improvements were completed, the Town of Lloyd would assume ownership and responsibility for maintenance of the parcel and the improvements, and

WHEREAS, during the process of transferring ownership to the Town of Lloyd by the New York State Department of Transportation, it was discovered that Ulster County has a fee interest in the parcel, and

WHEREAS, the Town of Lloyd has passed a resolution requesting that Ulster County transfer the property to the Town and is obtaining the necessary agreements with the New York State Department of Transportation to assume maintenance responsibilities, and

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WHEREAS, Section 72-h of New York State's 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 Town of Lloyd, either without consideration or for such consideration and upon such terms and conditions as shall be approved by the Ulster County Legislature and the Town Board of the Town of Lloyd, and

WHEREAS, the Ulster County Legislature has determined that the subject property is surplus property that is not needed by the County of Ulster, and

WHEREAS, this conveyance constitutes a Type II action under section 4.1.1 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, and

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of its members voting approval, now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby determines that the property described in the proposed annexed description and which is intended to be conveyed herein is appropriate for conveyance to the Town of Lloyd for the purposes referenced herein, and be it further

RESOLVED, that such property shall be conveyed to the Town of Lloyd without consideration and with the following terms and conditions included in the deed: that the property, in perpetuity, be restricted to, dedicated to, and maintained for transportation-related use, and be it further

RESOLVED, that the Chairman of the Ulster County Legislature is authorized on behalf of the County to execute the deed and any agreements and/or documents related to this conveyance, in the form as filed with the Clerk of the Ulster County Legislature or as modified by the County Attorney, and be it further

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RESOLVED, that such conveyance is subject to acceptance and authorization by the Town Board of the Town of Lloyd 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 of the County of Ulster,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 32 NOES: 0  
(Absent: Legislator Felicello)  
(Legislator Rodriguez arrived at 7:17 PM)

FINANCIAL IMPACT:  
NONE

1014

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 19<sup>th</sup> day of October, 2010, 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 21<sup>st</sup> Day of October in the year Two Thousand and Ten.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
21<sup>st</sup> Day of October, 2010.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this  
26<sup>th</sup> Day of October, 2010.

/s/ Michael P. Hein  
Michael P. Hein, County Executive