

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Lowe's Home Center, Inc. And Accept Conveyance Of Real Property From Lowe's Home Center, Inc.**

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

WHEREAS, the Town of Lloyd Planning Board has granted site plan approval to Lowe's Home Center, Inc. (hereinafter referred to as "Lowe's") to construct a retail home improvement center (hereinafter referred to as the "Center") to be situated on the northeast corner of New York State Route 299 and Eltings Corners Road, and

WHEREAS, in order for Lowe's to advance construction of the Center pursuant to the site plan approval, improvements to South Street and North Eltings Corners Road, which are roads owned and maintained by the County of Ulster, shall be necessary, and

WHEREAS, in order for the improvements to be made to the County roads herein, it shall be necessary for Lowe's to convey to the County of Ulster rights-of-ways adjacent to the Center and the County roads, and

WHEREAS, it shall be the sole responsibility of Lowe's to construct and pay for such improvements, the same of which shall require Lowe's to obtain all necessary and required permits from the Town of Lloyd, the County of Ulster and the State of New York, and

WHEREAS, the Chairman of the Ulster County Legislature is requesting authorization to execute an agreement with Lowe's for the reasons and purposes set forth herein, and

WHEREAS, the Chairman of the Ulster County Legislature is requesting authorization to accept the real property being conveyed to the County of Ulster, and

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

RESOLVED, that the Chairman of the Ulster County Legislature is authorized to execute, on behalf of the County of Ulster, the Agreement as annexed hereto and filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney, and

**Resolution No. 326 September 13, 2006**

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FURTHER RESOLVED, that the Chairman of the Ulster County Legislature is authorized to accept the conveyance of real property from Lowe's referenced in the Agreement on behalf of the County of Ulster, subject to the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 28                      NOES: 4  
(NOES: Legislators Liepmann, Rodriguez,  
Shapiro and Zimet)  
(Absent: Legislator Every)

FINANCIAL IMPACT:  
NONE

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