

Abandonment Of Portion Of Old Mountain Rest Road, County Road Number 95, Town Of Marbletown, To Adjoining Property Owner Mohonk Preserve, Inc.

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

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

WHEREAS, the County has discontinued maintenance on a portion of Old Mountain Rest Road, County Road Number 95, Town of Marbletown, description of which is annexed hereto and on file with the Clerk of the Ulster County Legislature, and

WHEREAS, said portion of County Road Number 95 has no further use for County Highway purposes and may be abandoned to the adjoining property owner, Mohonk Preserve, Inc., and

WHEREAS, the abandonment represents a portion of the discontinued road together with a portion of adjacent property acquired from the predecessor in interest of Mohonk Preserve, Inc, for highway purposes, and is no longer needed for highway purposes, and

WHEREAS, the abandonment constitutes a Type II action under Section 3.2 and Section 4.5.11 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, Ulster County determines that 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 the members voting approval, and

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

RESOLVED, that pursuant to Section 118-a of the Highway Law, the County of Ulster abandons to the adjoining owner, Mohonk Preserve, Inc., the property referenced herein and above as more specifically set forth in the description, which is annexed hereto and made a part hereof, as prepared by Meddenbach & Eggers, Civil Engineering and Land Surveying, P.C., dated January 31, 2011, and be it further

Resolution No. 86 April 26, 2011

Abandonment Of Portion Of Old Mountain Rest Road, County Road Number 95, Town Of Marbletown, To Adjoining Property Owner Mohonk Preserve, Inc.

RESOLVED, the Chairman of the Ulster County Legislature is hereby authorized to execute and deliver a quitclaim deed conveying the County's interest in such portion to the said adjoining owner, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 0
(Absent: Legislators Bernardo, Frey, Hayes, Provenzano, Sheeley and Stoeckeler)

FINANCIAL IMPACT:
NONE

0401

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 26th day of April, 2011, 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 29th Day of April in the year Two Thousand and Eleven.

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

Submitted to the County Executive this
29th Day of April, 2011.

Approved by the County Executive this
4th Day of May, 2011.

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

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