

Introductory Local Law Number 12 Of 2009

County Of Ulster

A Local Law Authorizing The Sale Of Surplus County Real Property To Richard Tomasetti – Private Sale

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

From time to time, the County has acquired real property from various sources. Many of such properties are not required for the corporate purposes of the County and could be better put to private use; the transfer of such surplus property at private sale would result in economic benefit to the County in that the real property will be placed upon the tax rolls for fully taxable status.

The purpose of this local law is to provide authority for the sale of such surplus property to Richard Tomasetti, said property located on Lost Clove Road, Big Indian, in the Town of Shandaken consisting of .483 acre parcel of land (dimensions 220' X 84' X 200' X 91'), tax map #12.7-1-32, which is more particularly described as follows:

“ALL THAT PARCEL OF LAND situate in the Town of Shandaken, County of Ulster, and State of New York and said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of the Lost Clove Road opposite station 34 of the Big Indian Water Company's pipe line, and running thence south 1° east thence down and along said Lost Clove Road to the place of beginning. Containing about one half an acre of land, more or less, as shown on map filed in the County Clerk's Office, together with the stream and waters thereof.”

The surplus property herein described has been appraised by John B. Haluska, 34 Bennett Avenue, Saugerties, New York, in an appraisal dated September 6, 2006, which has determined that the market value of the .483 acre parcel to be \$550.00. In addition to the sale price, there may be other fees, taxes or costs to be determined by the County Attorney and that are associated with this conveyance for which the purchaser will be responsible.

The Commissioner of Public Works has advised that said real property is no longer necessary for public use and has no objection that it be sold.

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Based upon the examination of the Ulster County Legislature finds and determines that the action herein is an “unlisted action” which would not have a significant effect on the environment as such terms are defined under SEQRA.

SECTION 2. AUTHORIZATION OF SALE.

This local law shall provide authority pursuant to Section 215(5) of the County Law that said surplus property shall be sold to adjacent land owner Richard Tomasetti.

This local law shall provide that all of the County’s right, title and interest in said real property shall promptly be sold to Richard Tomasetti for the sum of \$550.00. In addition to the sale price, there may be other fees, taxes or costs to be determined by the County Attorney and that are associated with this conveyance for which the purchaser will be responsible.

SECTION 3. VOTING REQUIREMENT ON RESOLUTION.

Such property shall be sold as provided in Section 215(5) of the County Law adopted by the affirmative vote of two-thirds of the total membership of the Ulster County Legislature taken by roll call and entered into the minutes.

SECTION 4. PUBLIC ADVERTISEMENT, BIDDING DISPENSED.

Notwithstanding the provisions of §215(6) of the County Law, such property may be sold to Richard Tomasetti at private sale without public advertisement or bidding.

SECTION 5. EFFECTIVE DATE. This local law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Ulster voting on a proposition for its approval if within 45 (45) days after its adoption there is filed with the Clerk of the Ulster County Legislature a petition protesting against such local law in conformity with the provisions of §(1) (a) of the Municipal Home Rule Law, and upon filing in the Office of the Secretary of State.