

Introductory Local Law Number 8 Of 2009

County Of Ulster

A Local Law Authorizing The Sale Of Surplus County Real Property To Dorothy Burke – 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 Dorothy Burke, said property located along Route 212 in the Town of Woodstock consisting of a 0.1194 acre parcel of land which is more particularly described in a metes and bounds description prepared by surveyor, Bert C. Winne III as follows:

“ALL THAT CERTAIN PIECE OR PARCEL OF LAND WITH BUILDINGS AND IMPROVEMENTS THEREON, being a portion of Easement Lot 2 referred to as ‘proposed NYSDOT Spring House and Driveway Easement’ shown on filed map no. 07-111, situate, lying and being on New York State Route 212 at Willow, Town of Woodstock, County of Ulster, State of New York and being more particularly bounded and described as follow:

BEGINNING at a point marked by a rebar at the most northerly corner of the herein described parcel, said point being distant 160.93 feet on a course of North 88 degrees, 23’ 43” West from a rebar in the south bounds of Parcel B of said filed map no. 07-111 thence South 67 degrees, 44’ 11” East along the south bounds of other lands of The Dorothy Smith Burke Trust and the north bounds of N.Y. S. Rt. 212 for a distance of 224.79 feet to a point; thence through the lands acquired by Ulster County for Highway purposes in 1930 the following courses and distances:

1. South 80 degrees, 51’ 07” West, passing through utility pole no.23561 for a total distance of 40.00 feet to a point;
2. North 70 degrees, 29’ 06” West through the proposed NYSDOT Spring House and Driveway Easement as shown on filed map 07-111 for a distance of 190.87 feet to a point;
3. North 22 degrees, 15’ 49” East, 30.00 feet to the point and place of beginning.

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CONTAINING 0.1194 ACRES of land.

SUBJECT to all of the rights of the utility company as the same exists to the above described 0.1194 Acre parcel.

BEARINGS are with reference to Grid North per filed map no. 07-111.

The surplus property herein described has been appraised by Hudson Valley Appraisal Corporation in a restricted appraisal dated April 21, 2009, which has determined that the market value of the fee simple interest of the 12,147 square foot parcel is \$7,730.00. ¹

¹On or about June 18, 2009, a survey was performed by Bert C. Winne III in relation to this matter. As a result, a new map of the property has been prepared. The area to be conveyed is now 0.1194 acres. The consideration to be paid shall remain the same.

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.

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 Dorothy Burke which will enable her to legally own her source of drinking water.

This local law shall provide that all of the County’s right, title and interest in said real property shall promptly be sold to Dorothy Burke for the sum of \$7,730.00.

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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 Dorothy Burke 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.