

Resolution No. 471 of 2018 February 19, 2019

Amending Resolution No. 318 Dated September 15, 2015 To Conform To Agreement of Sale of County-Owned Real Property in the Town of Lloyd To The New York State Department Of Environmental Conservation And Authorizing The Chairman Of The Ulster County Legislature To Convey Such Parcel – Department Of Finance

Referred to: The Energy and Environment Committee (Chairwoman Greene and Legislators Eckert, Heppner, Wawro, and Woltman), and The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, James Maloney, Joseph Maloney, Petit, and Rodriguez)

Deputy Chair of the Ways and Means Committee, Richard A. Gerentine, offers the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Ulster County Department of Finance; and

WHEREAS, the County acquired, by reason of non-payment of taxes, a certain parcel of real property consisting of approximately 123.8 acres, identified as Tax Map Number 79.2-2-1 and located off North Chodikee Lake Road in the Town of Lloyd, County of Ulster and State of New York (hereinafter referred to as the “Parcel”); and

WHEREAS, the Parcel is a portion of premises conveyed to the County of Ulster by tax sale deed from Lewis C. Kirschner as Treasurer of the County of Ulster, dated April 19, 2004, and recorded in the Ulster County Clerk’s Office on April 19, 2004, as Instrument Number 2004-00011223; and

WHEREAS, pursuant to Resolution No. 318 dated September 15, 2015, the County Legislature approved the sale and transfer of the Parcel to the People of the State of New York, acting by and through their Commissioner of Environmental Conservation (hereinafter referred to as the “DEC”), and by Land Purchase Agreement, dated June 8, 2016 and signed by both parties, the County of Ulster and the DEC agreed on a sales price for the Parcel in the sum of One Hundred Seventy-Eight Thousand, Five Hundred and 00/100 (\$178,500.00) Dollars; and

WHEREAS, it is necessary to amend Resolution No. 318 dated September 15, 2015, in order to conform to the terms of the transfer of the Parcel as set forth in said Land Purchase Agreement between the County and the DEC; now, therefore, be it

RESOLVED, that the last “RESOLVED” in Resolution 318 of September 15, 2015 is hereby deleted in its entirety and replaced by the following language:

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~~RESOLVED, that the Chairman of the Ulster County Legislature is authorized and directed to make, execute and deliver to the DEC any and all documents required to transfer the Parcel from the County to the DEC, including but not limited to, a quitclaim deed conveying the interest of the County in said parcel, which quitclaim deed shall contain the covenant that the said County of Ulster shall in no event be or become liable for any defects in title conveyed for any cause whatsoever, and that no claim or demand of any nature shall ever be made against the County of Ulster arising from such sale, conveyance or the proceedings leading thereto; and a Land Purchase Agreement; said any and all documents to be reviewed and approved by the Ulster County Attorney,~~

“RESOLVED, that the Chairman of the Ulster County Legislature is authorized and directed to make, execute and deliver to the DEC, any and all documents required to transfer the Parcel from the County to the DEC, including but not limited to a Land Purchase Agreement, a Bargain and Sale Deed, and an Affidavit of Title; said any and all documents to be reviewed and approved by the Ulster County Attorney.”

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Postponed in Committee: Energy and Environment on November 8, 2018

No Action Taken in Committee: Ways and Means on November 13, 2018

Postponed in Committee: Energy and Environment on December 6, 2018

No Action Taken in Committee: Energy and Environment on February 7, 2019

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Passed Committee: Energy and Environment on _____.

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

\$178,500.00 – ADDITIONAL 2018 TAX DOLLARS