

**RESOLUTION NO. 777 -2009, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976
RAYMOND FIGALORA (SCTM NO. 0500-479.00-02.00-p/o
082.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 479.00 Block 02.00 Lot p/o 082.000 and acquired by Tax Deed on May 31, 1989 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on May 31, 1989 in Liber 10866 at Page 517 and described as follows, Town of Islip, known and designate as Canal and Great South Bay on a certain map entitled "Map of Oak Neck Harbor Estates", and filed in the Office of the Clerk of the County of Suffolk on June 19, 1964 as Map No. 4071, see attached description; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, RAYMOND FIGALORA, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$26,847.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$26,847.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$26,847.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

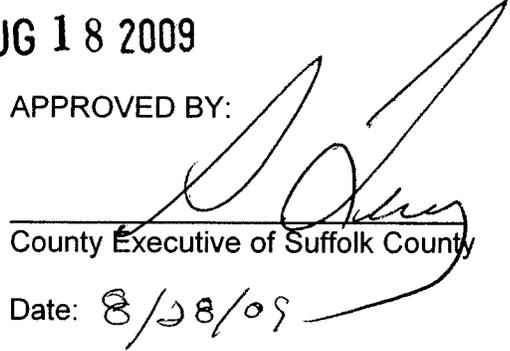
1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further,

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said RAYMOND FIGALORA, 40 Shoal Drive, West Islip, New York 11795.

DATED: **AUG 18 2009**

APPROVED BY:



County Executive of Suffolk County

Date: 8/28/09

1628/229

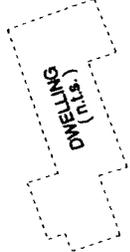
**LAND CONVEYANCE MAP
SITUATED AT
"WEST ISLIP, SUFFOLK CO., N.Y."
SCALE 1"=20'**

PREPARED FOR:
FIGALORA RESIDENCE
40 SHOAL DR.
WEST ISLIP, N.Y.

LAND TO BE CONVEYED LOT AREA=2,983 SQ.FT. &
.088 ACRES
S.C.T.M.# 05500-484-02-002

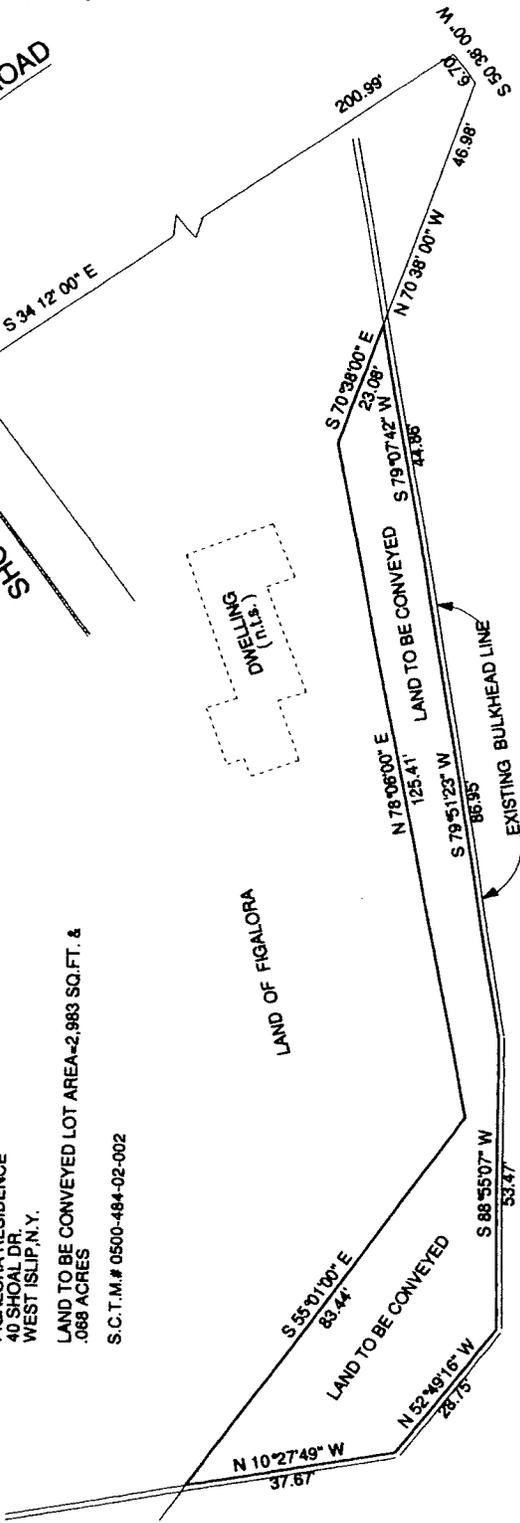
OLD NECK ROAD

SHOAL DRIVE



LAND OF FIGALORA

GREAT SOUTH BAY



WILLIAM F. SIMMONS, 3RD, L.S.P.C.	
11 MEROKE LANE, EAST ISLIP, N.Y., 11730	
PH. (631) 581-1868 FX. (631) 581-1891	
DATE: 7/15/2008	SCALE: 1" = 20'
	DRAWN BY: T.C.

FILE # 42724

Legal Description

All that certain piece or parcel of land situated at West Islip, Town of Islip, Suffolk County, New York, being more particularly described as follows:

Commence at the southeast corner of Lot 10, said lot shown on the "Map of Oak Neck Harbor Estates", filed in the office of the clerk of the County of Suffolk, on June 19, 1964, as Map Number 4071; thence along the southerly lines of said Lot 10, South 50 Degrees 38 Minutes 00 Seconds West, for a distance of 6.70 feet; thence North 70 Degrees 38 Minutes 00 Seconds West, for a distance of 46.98 feet, to the **Point of Beginning**; thence South 79 Degrees 07 Minutes 42 Seconds West, for a distance of 44.86 feet; thence South 79 Degrees 51 Minutes 23 Seconds West, for a distance of 86.95 feet; thence South 88 Degrees 55 Minutes 07 Seconds West, for a distance of 53.47 feet; thence North 52 Degrees 49 Minutes 16 Seconds West, for a distance of 28.75 feet; thence North 10 Degrees 27 Minutes 49 Seconds West, for a distance of 37.67 feet; thence South 55 Degrees 01 Minutes 00 Seconds East, for a distance of 83.44 feet; thence North 78 Degrees 06 Minutes 00 Seconds East, for a distance of 125.41 feet; thence South 70 Degrees 38 Minutes 00 Seconds East, for a distance of 23.08 feet, to the **Point of Beginning**. **Said tract contains 2983 square feet, more or less.**

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 18, 2009 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 the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1628

Res. No. 777

August 18, 2009

Motion:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	18				

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote