

Intro. Res. No. 1094-2010
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/2/2010

**RESOLUTION NO. 80 -2010, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976
PETER A. AND SVETLANA L. WILKEYSON (SCTM NO. 0500-
402.00-03.00-p/o 024.002)**

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 402.00 Block 03.00 p/o Lot 024.002 and acquired by Tax Deed on September 16, 1994 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 28, 1994 in Liber 11696 at Page 75, all that certain piece or parcel of land, situate, and being in Oakdale, in the Town of Islip County of Suffolk, and State of New York, bounded and described as follows:

Commence at a point on the Southerly side of tower Mews, distant 865.13 feet Southeasterly and Easterly as measured along the Southerly side of Tower Mews, from the corner formed by the intersection of the Southerly side of Ocean View Avenue with the Southwesterly side of Tower Mews;

Running thence South 20 Degrees 19 Minutes 30 Seconds West, for a distance of 101.00 feet, to the Point of Beginning;

Thence South 70 Degrees 49 Minutes 15 Seconds East, for a distance of 100.02 feet;

Thence South 20 Degrees 19 Minutes 30 Seconds West, for a distance of 6.81 feet;

Thence North 72 Degrees 15 Minutes 03 Seconds West, for a distance of 43.73 feet;

Thence North 69 Degrees 11 Minutes 04 Seconds West, for a distance of 56.31 feet;

Thence North 20 Degrees 19 Minutes 30 Seconds East, for a distance of 6.29 feet, to the Point of Beginning.

Said track contains 721 square feet, more or less.

and be it further

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, Peter A. & Svetlana L. Wilkeyson, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,600.00. 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 \$4,600.00, 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 \$4,600.00, pursuant to said purchase offer; 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.

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 PETER A. and SVETLANA L. WILKEYSON, 688 Tower Mews, Oakdale, New York 11769.

DATED: March 2, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2010