

**RESOLUTION NO. 580 -2010, AUTHORIZING THE
TRANSFER OF PROPERTY TO SUFFOLK COUNTY
DEPARTMENT OF PARKS, RECREATION AND
CONSERVATION (SCTM NO. 0200-461.00-03.00-029.000)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 461.00, Block 03.00 Lot 029.000 and acquired by Tax Deed on August 4, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Brookhaven under Suffolk County Tax Map No. District 0200, Section 461.00, Block 03.00, Lot 029.000.

WHEREAS, the parcel, has been identified by the Suffolk County Planning Department and Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management as adjacent or associated with presently existing Suffolk County Parkland/Nature Preserve; and

WHEREAS, as a result thereof the jurisdiction of said parcel should be transferred to the Suffolk County Department of Parks, Recreation and Conservation in order to become part of said Suffolk County Parkland; and

WHEREAS, if it is found that such property once transferred or dedicated, have created a landlocked parcel or parcels, or denied access to such parcel or parcels, such portion of the dedication was inadvertent, and it is the intention of the Suffolk County Legislature not to dedicate such land to Suffolk County Parks system and/or Nature Preserve as may be required to maintain access and to prevent said properties from being either landlocked or having access denied thereto; and

WHEREAS, it is not the intention of the Suffolk County Legislature to grant rights to adjacent property owners that did not exist at the time of this dedication; and

WHEREAS, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above described property for the above stated reasons and purpose; and be it further

2nd **RESOLVED**, that in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this

dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and property to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

3rd **RESOLVED**, that said parcel is held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessors of the Town of Brookhaven, Southampton and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforesated assessors for this purpose; and be it further

4th **RESOLVED**, that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED: June 8, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 18, 2010