

RESOLUTION NO. 120 -2011, AUTHORIZING EXECUTION OF A SEWER EASEMENT AGREEMENT TO ABANDON AN EXISTING EASEMENT IN FAVOR OF AN ALTERNATE EASEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH SAMANTHA DRIVE SUBDIVISION (BR 1568)

WHEREAS, on February 10, 1986, the Suffolk County Sewer Agency adopted Resolution No. 17-1986, authorizing the connection of the Strathmore Oaks (BR-0767) subdivision to Suffolk County Sewer District No. 11 - Selden; and

WHEREAS, the Construction Agreement dated March 28, 1986, established Easement No. 5 as a pump station and/or temporary sanitary system area for said project in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.112; and

WHEREAS, Strathmore Oaks is connected to the District through an alternate pump station (SCSD No. 11 - Selden PS No. 20), and said property is no longer required for the purposes of a pump station and/or temporary sanitary system area. However, a forcemain is located on the property; and

WHEREAS, the developer has requested the abandonment of the easement over the entire parcel, has subdivided the parcel into two parcels and proposed an alternate easement on the north side of the northernmost subdivided parcel encompassing the location of the forcemain, on the lot now known on the Suffolk County Tax Map as District 0200, Section 428.00, Block 01.00, Lot 001.116; and

WHEREAS, the Suffolk County Department of Health Services and the Suffolk County Department of Public Works agree that Easement No. 5, established in 1986, is no longer required for said purposes; and

WHEREAS, it has been determined by the Administrative Head of Suffolk County Sewer District No. 11 - Selden that the request for abandonment of the existing easement in favor of an alternate easement is reasonable and appropriate, provided certain conditions and specifications are satisfied; now, therefore be it

1st RESOLVED, that the County of Suffolk grant the request for abandonment of the existing easement in favor of an alternate easement, under such terms and conditions as are deemed appropriate by the Administrative Head of Suffolk County Sewer District No. 11 - Selden and reviewed by the County Attorney, said alternate easement is described as follows:

Legal Description for Sanitary Sewer Easement
SCTM District 0200 Section 428.00 Block 01.00 Lot 001.116
(previously sanitary disposal field)
Strathmore Oaks Section 1 (Map No. 8193)

This is intended to amend the easement and bill of sale deed Liber 10612 Page 101 between Levitt Homes Incorporated and the County of Suffolk for Sanitary Sewer Easement No. 5 outside of Section, Strathmore Oaks Section 1, Coram, Suffolk County, New York.

BEGINNING at a point on the Westerly line of Samantha Drive as shown on the Map of Strathmore Oaks Section 2 filed November 20, 1989, Map No. 8855 said point being the Southeastern corner of Lot 82 as shown on the aforementioned map and being 150.81 distant from the intersection of the Southerly line of Swan Court and the Westerly line of Samantha Drive;

RUNNING THENCE Southerly along the Westerly line of Samantha Drive South 04 degrees 50 minutes 41 seconds East, 20.00 feet;

THENCE South 85 degrees 09 minutes 19 seconds West, 92.30 feet;

THENCE South 68 degrees 18 minutes 07 seconds West, 34.79 feet;

THENCE South 85 degrees 09 minutes -19 seconds West, 31.53 feet to the Easterly line of Patchogue-Port Jefferson Road (N.Y.S. Route 112);

THENCE Northerly along the Easterly line of Patchogue-Port Jefferson Road North 04 degrees 37 minutes 57 seconds West, 30.09 feet to the Southerly line of Lot 82 as shown on the Map of Strathmore Oaks, Section 2;

THENCE along the aforementioned line North 85 degrees 09 minutes 19 seconds East, 157.02 feet to the POINT OR PLACE OF BEGINNING.

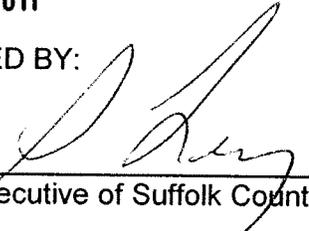
and be it further

2nd **RESOLVED**, that the Administrative Head of Suffolk County Sewer District No. 11 - Selden is authorized and directed to execute such documents and take whatever other steps are necessary to effectuate the easement authorized by this resolution and the connection agreement authorized by Resolution No. 1981-2009; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to Section 617.5(c)(11) and (20) of the SEQRA regulations, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: **MAR 08 2011**

APPROVED BY:



County Executive of Suffolk County

Date: **MAR 23 2011**

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
March 8, 2011 *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.

Tim Laube

Clerk of the Legislature

Intro. Res.

1080

Res. No.

120

March 8, 2011

Motion:

Romaine, Schneiderman, Browning, Muratore,
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore,
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore,
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	1				
2	Jay H. SCHNEIDERMAN	1				
3	Kate M. BROWNING					
4	Thomas MURATORE	1				
6						
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
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.	1				
8	William J. LINDSAY, P.O.	1				
	Totals	16	—	—	—	—

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

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

Tim Laube

Roll Call Voice Vote