

**STRICKEN AS OF END OF YEAR**  
**AMENDED COPY AS OF 5/17/2011**

Intro. Res. No. 1085-2011

Laid on Table 2/1/2011

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. -2011, SALE OF COUNTY-  
OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF  
THE GENERAL MUNICIPAL LAW NEW YORK STATE (SCTM  
NO. 0209-024.00-02.00-026.000)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel, 0209-024.00-02.00-026.000, and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between a municipal corporations; and

**WHEREAS**, the Village of Mastic Beach has requested that the County of Suffolk convey the subject parcel to it for municipal purposes; and

**1<sup>st</sup>** **RESOLVED**, that Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, or her designee, is hereby authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above described parcel and on the terms and conditions provided herein to said Village of Mastic Beach for the sum of \$6,365.13; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Village of Mastic Beach is restricted in its use of the subject parcel and will use said parcel solely and exclusively for a Village Hall or a dedicated Village Park or a museum/visitors' center, with all right title and interest reverting to the County of Suffolk in the event that the Village of Mastic Beach, at any time, uses or attempts to use said subject parcel for purposes other than for a Village Hall or a dedicated Village Park or a museum/visitors' center, or attempts to sell, transfer or otherwise dispose of, or does, in fact, sell, transfer or otherwise dispose of said subject parcel; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the deed issued by Pamela J. Greene, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution shall contain a reverter clause declaring that title to the above described parcel shall revert to the County of Suffolk if: 1) the parcel is not used for a Village Hall or a dedicated Village Park or a museum/visitors' center, within three years after delivery of the deed to the Village of Mastic Beach; or 2) the Village of Mastic Beach attempts to sell, transfer, or otherwise dispose of the parcel, or does sell, transfer, or otherwise dispose of said subject parcel; or 3) the Village of Mastic Beach imposes a bill or charge-back against the County of Suffolk in violation of Resolution No. 1028-1991 for actual or projected cleanup costs of any debris on the property; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Village of Mastic Beach shall not bill or charge-back to the County of Suffolk any cost incurred, or projected to be incurred, for the cleaning up, removal and disposal of any debris, waste and/or contamination on said parcel; and in the event that such bill or charge-back is rendered to the County of Suffolk the transfer shall be void ab initio and the parcel shall revert to the County of Suffolk; and be it further

**5<sup>th</sup>** **RESOLVED**, that it is intended and agreed that the covenants and restrictions

recited in this Resolution presented to the Legislature shall be contained in the deed evidencing transfer of the subject parcel, and they shall be covenants running with the land and, without regard to technical classification of designation, legal or otherwise, they shall be binding for the benefit of, in favor of, and enforceable by, the County of Suffolk, and it being further understood that such covenants and restrictions shall be binding upon the State of New York and any subsequent grantee; and be it further

**6<sup>th</sup>** **RESOLVED**, prior to the implementation of any construction plans for the conveyed parcel, the Village of Mastic Beach and any subsequent grantee, shall conduct and complete review pursuant to State Environmental Quality Review Act (SEQRA); and be it further

**7<sup>th</sup>** **RESOLVED**, that this Legislature, determines that this resolution constitutes a Type II action pursuant to Section 617.5(c) (20), of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date: