

RESOLUTION NO. 474 -2011, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF SMITHTOWN, SUFFOLK COUNTY TAX MAP NO. 0800-169.00-01.00-009.001, PURSUANT TO THE SUFFOLK COUNTY TAX ACT

WHEREAS, the County of Suffolk acquired property in the Town of Smithtown, designated as Suffolk County Tax Map No. 0800-169.00-01.00-009.001, by tax deed dated September 22, 2010 and recorded on September 23, 2010 in the Suffolk County Clerk's Office for unpaid 2005/2006 taxes; and

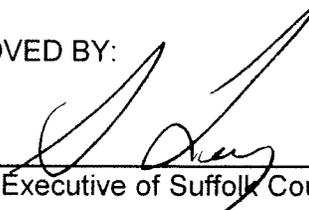
WHEREAS, it has been determined that the subject property was owned by the Holy Cross Catholic Church; was property exempt from the payment of property taxes and, therefore, the property should not have been taken; now, therefore be it

1st RESOLVED, that pursuant to Sections 40-c and 40-d of the SUFFOLK COUNTY TAX ACT, Suffolk County's tax deed to the subject property will be canceled and the Director of the Division of Real Property Acquisition and Management and/or his or her designee is authorized to file a Certificate of Abandonment of Claim of Title, which Suffolk County holds pursuant to said tax deed; and be it further

2nd RESOLVED, all monies due to the County of Suffolk for accrued taxes, penalties and interest, as calculated by the Treasurer of the County of Suffolk, shall be charged against the Town of Smithtown which shall be assessed, levied and collected and paid to the County Treasurer.

DATED: June 7, 2011

APPROVED BY:



County Executive of Suffolk County

Date: **JUN 17 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 June 7, 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.

1376

Res. No.

474

June 7, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
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					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6	Sarah S. ANKER					
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.				/	
8	William J. LINDSAY, P.O.					
Totals		17	—	—	1	—

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

Roll Call _____ Voice Vote

Tim Laube, Clerk of the Legislature