Intro. Res. No. 1807-2011 Laid on Table 9/15/2011
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 796 -2011, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT J & S REALTY CORP. (SCTM NO. 0103-017.00-02.00-013.000)**

**WHEREAS**, the COUNTY OF SUFFOLK acquired the following described parcel:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0103, Section 017.00, Block 02.00, Lot 013.000, and acquired by tax deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010, in Liber 12640, at Page 823, and otherwise known and designated by the Town of Babylon, as Lots 1765 and 1766, on a certain map entitled "Map of Lindenhurst Babylon Farms, Section 7", filed in the Office of the Clerk of Suffolk County on February 19, 1924 as Map No. 641; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 19, 2010, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 20, 2010 in Liber 12640 at Page 823.

**WHEREAS**, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, J & S REALTY CORP. has made application of said above described parcel and J & S REALTY CORP. has paid the application fee and has paid $28,294.03, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2011; 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 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 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 to J & S REALTY CORP., 700 Montauk Highway, Lindenhurst NY 11757, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: OCT 1 1 2011

APPROVED BY:

County Executive of Suffolk County

Date: OCT 1 9 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 October 11, 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. 1807 Res. No. 796 October 11, 2011

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

**Co-Sponsors:**
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**
Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Viloria-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 | 18 | | | | |

| MOTION |
|---|
| X 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 X FAILED ____ |
| No Motion ___ No Second ___ |

| RESOLUTION DECLARED |
|---|
| X ADOPTED |
| ____ NOT ADOPTED |

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ____ Voice Vote X