

RESOLUTION NO. 322 -2012, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS INCORPORATED VILLAGE OF GREENPORT SUFFOLK COUNTY TAX MAP NO. 1001-005.00-04.00-018.000 PURSUANT TO SECTION 40-D OF THE SUFFOLK COUNTY TAX ACT

WHEREAS, a parcel of property lying, situate and being in the Incorporated Village of Greenport, Town of Southold, designated as Suffolk County Tax Map Number 1001-005.00-04.00-018.000 known as District 1001, Section 005.00, Block 04.00, Lot 018.000, was previously assessed to Evelyn Amer; and

WHEREAS, the Village of Greenport became owner of the property as a matter of law via vesting order dated February 25, 2003 and entered at the Supreme Court of Suffolk County on March 4, 2003; and

WHEREAS, a subsequent court order dated April 18, 2006, affirmed the vesting of title of the property in the Village; and

WHEREAS, the assessment and land records were not updated to properly reflect that the Village was the owner of the subject parcel; and

WHEREAS, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 1001-005.00-04.00-018.000, by tax deed dated September 19, 2011, and recorded on September 21, 2011 in the Suffolk County Clerk's Office in Liber 12671 at page 898 for unpaid 2008/2009 taxes; and

WHEREAS, it has been determined the Village of Greenport, as owner, was not given notice prior to the taking of tax deed, and as such the property should not have been taken; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, and/or his/her designee, is authorized to file a certificate of abandonment of the County's claim of title and interest by virtue of the tax deed in the subject property, with the Suffolk County Treasurer; and be it further

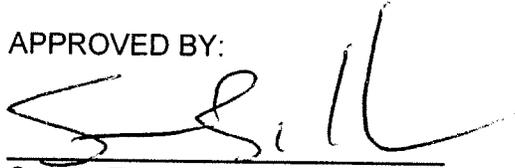
2nd RESOLVED, that the tax deed to Suffolk County shall be canceled pursuant to section 40-D of the Suffolk County Tax Act by the Suffolk County Treasurer upon receipt of such certificate of abandonment and upon receipt of adequate proof that the Town of Southold Assessor's records have been changed to reflect ownership of the subject parcel in the Village of Greenport; 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) (20) and (27) 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, management and information collection, 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: April 24, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 5.7.2012

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 April 24, 2012 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.

1358

Res. No.

322

April 24, 2012

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1	1		

MOTION
<input checked="" type="checkbox"/> Approve
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
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

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

Roll Call _____ Voice Vote

Tim Laube

Tim Laube, Clerk of the Legislature