

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 800 -2012, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSE MACHUCA (SCTM NOS. 0400-146.00-03.00-027.003 n/k/a p/o 0400-146.00-03.00-027.005)**

**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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 146.00, Block 03.00, Lot 027.003 n/k/a p/o District 0400, Section 146.00, Block 03.00, Lot 027.005, and acquired by tax deed on September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009, in Liber 12600, at Page 862, and otherwise known and designated by the Town of Huntington, as Lot No. 12, Block K, on a certain map entitled "Map of Huntington Manor", filed in the Office of the Clerk of Suffolk County on November 21, 1903 as Map No. 494; 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 September 21, 2009, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 23, 2009 in Liber 12600 at Page 862.

**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

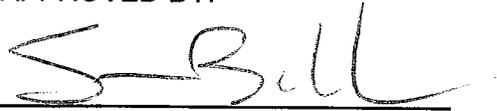
**WHEREAS**, JOSE MACHUCA has made application of said above described parcel and JOSE MACHUCA has paid the application fee and has paid \$2,697.53, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2012; now, therefore be it

**1<sup>st</sup>** **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

**2<sup>nd</sup>** **RESOLVED**, that the Director of Real Estate, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSE MACHUCA, 246 Lewis Avenue, Westbury, NY 11590, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: SEP 13 2012

APPROVED BY:

A handwritten signature in black ink, appearing to read "S. Bell". The signature is written in a cursive style with a long horizontal stroke at the end.

County Executive of Suffolk County

Date: 9.26.12

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 September 13, 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*

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Clerk of the Legislature

**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        | 1   |    |     |    |   |
| 2      | Jay H. SCHNEIDERMAN      | 1   |    |     |    |   |
| 3      | Kate M. BROWNING         | 1   |    |     |    |   |
| 4      | Thomas MURATORE          | 1   |    |     |    |   |
| 5      | Kara HAHN                | 1   |    |     |    |   |
| 6      | Sarah S. ANKER           | 1   |    |     |    |   |
| 7      | Rob CALARCO              | 1   |    |     |    |   |
| 9      | Ricardo MONTANO          | 1   |    |     |    |   |
| 10     | Thomas CILMI             | 1   |    |     |    |   |
| 11     | Thomas F. BARRAGA        | 1   |    |     |    |   |
| 12     | John M. KENNEDY, JR.     | 1   |    |     |    |   |
| 13     | Lynne C. NOWICK          | 1   |    |     |    |   |
| 15     | DuWayne GREGORY          | 1   |    |     |    |   |
| 16     | Steven H. STERN          | 1   |    |     |    |   |
| 17     | Lou D'AMARO              | 1   |    |     |    |   |
| 18     | William SPENCER          | 1   |    |     |    |   |
| 14     | Wayne R. HORSLEY, D.P.O. | 1   |    |     |    |   |
| 8      | William J. LINDSAY, P.O. |     |    |     | 1  |   |
| Totals |                          | 17  | 1  |     | 1  |   |

**MOTION**

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  FAILED \_\_\_\_\_

No Motion \_\_\_\_\_ No Second \_\_\_\_\_

**RESOLUTION DECLARED**

ADOPTED

NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_\_\_ Voice Vote