

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 848 -2012, AUTHORIZING THE ACQUISITION OF A CERTAIN UNOPENED RIGHT-OF-WAY KNOWN AS NICOLLS ROAD, AND HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0100 SECTION 010.00 AND DISTRICT 0100 SECTION 038.00 FOR MUNICIPAL PURPOSES AND REQUESTING CONVEYANCE OF ALL OF THEIR RIGHT, TITLE AND INTEREST TO SAME FROM THE TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK FOR CONVEYANCE OF SAME

WHEREAS, a certain parcel unopened right-of-way presently under the jurisdiction of the Town of Babylon, County of Suffolk, New York, and having a Suffolk County Tax Map Identification Number of District 0100 Section 010.00 and District 0100 Section 038.000, is situated within the geographical boundaries of the Town of Babylon, Suffolk County, New York, a map and description of same being attached hereto as Exhibit "A"; and

WHEREAS, the County of Suffolk, New York is interested in acquiring said parcel of real property for the purpose of using said parcel for municipal purposes; and

WHEREAS, conveyance of the subject parcel must be authorized by the Town Board of Babylon, Suffolk County, New York, by duly adopted resolution; now, therefore be it

1st RESOLVED, that the proposed action constitutes an Unlisted Action under Title 6 NYCRR Part 617 (SEQRA) which will not have a significant adverse impact on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617(c), which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
2. The proposed action simply transfers ownership of the land for municipal purposes; and be it further

2nd RESOLVED, that the County of Suffolk does hereby approve, authorize and request the acquisition from the Town of Babylon, Suffolk County, New York, of all of their right, title, and interest in and to that certain unopened right-of-way known as Nicolls Road, Town of Babylon, Suffolk County, New York, pursuant to General Municipal Law Section 72h for a consideration not to exceed One Hundred & 00/100 (\$100.00) Dollars; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Public Works or his designee is hereby authorized to execute all necessary documents in connection with the acquisition of the above-described parcel(s); and be it further

4th RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his duly appointed designee, be and hereby is authorized and directed to prepare and

submit to the Town of Babylon, Suffolk County, New York a petition to abandon said unopened right-of way.

DATED: September 13, 2012

APPROVED BY:

A handwritten signature in black ink, appearing to read "Bill", written over a horizontal line.

County Executive of Suffolk County

Date: 9.21.12

COUNTY OF SUFFOLK – DEPARTMENT OF PUBLIC WORKS

Tax Map Index Number: 0100-010.00 (Nicolls Road)

Capital Project No.: 5510, NY PIN 0756.56

County Road Number:

Map Number: 23R

Name of Road: Nicolls Road

Parcel: Area 1

To Be Conveyed to: Pinelawn Cemetery, Inc. by Suffolk County Dept. of Public Works

All that piece or parcel of land situate in the Town of Babylon, County of Suffolk, State of New York to be conveyed to Pinelawn Cemetery, Inc., as shown on Map 23R and described as follows:

Beginning at the intersection of the northerly line of Nicolls Road with the easterly line of Little East Neck Road, thence easterly along said northerly line the following three (3) courses and distances:

- 1) North 66 degrees, 45 minutes, 24 seconds East, 698.30 feet to the;
- 2) North 62 degrees, 28 minutes, 29 seconds East, 331.49 feet;
- 3) North 66 degrees, 42 minutes, 59 seconds East, 120.00 feet;

Thence southerly and westerly through Nicolls Road the following four (4) courses and distance:

- 1) South 23 degrees, 17 minutes, 01 seconds East, 25.00 feet;
- 2) South 66 degrees, 42 minutes, 59 seconds West, 119.07 feet;
- 3) South 62 degrees, 28 minutes, 29 seconds West, 331.49 feet;
- 4) South 66 degrees, 45 minutes, 24 seconds West, 693.54 feet to the easterly line of Little East Neck Road;

Thence northerly along said easterly line North 36 degrees, 03 minutes, 41 seconds West, 25.64' to the point of beginning, being 28,674± square feet or 0.658± acres.

Described By:	MF	Date:	3/11
Checked By:	JRM	Date:	3/11
Revised By:	MF	Date:	5/11
Checked By:	JSS	Date:	5/11
Revised By:	JSS	Date:	11/11
Checked By:	JMc	Date:	11/11
Revised By:	JSS	Date:	5/12

EXHIBIT "A"

COUNTY OF SUFFOLK – DEPARTMENT OF PUBLIC WORKS

Tax Map Index Number: 0100-038.00 (Nicolls Road)

Capital Project No.: 5510, NY PIN 0756.56

County Road Number:

Map Number: 23R

Name of Road: Nicolls Road

Parcel: Area 2

To Be Conveyed to: Pinelawn Cemetery, Inc. by Suffolk County Dept. of Public Works

All that piece or parcel of land situate in the Town of Babylon, County of Suffolk, State of New York to be conveyed to Pinelawn Cemetery, Inc., as shown on Map 23R and described as follows:

Beginning at the intersection of the southerly line of Nicolls Road with the easterly line of Little East Neck Road, thence northerly along said easterly line, North 36 degrees, 03 minutes, 41 seconds West, 25.64 feet;

Thence easterly and northerly through Nicolls Road the following four (4) courses and distances:

- 1) North 66 degrees, 45 minutes, 24 seconds East, 693.54 feet;
- 2) North 62 degrees, 28 minutes, 29 seconds East, 331.49 feet;
- 3) North 66 degrees, 42 minutes, 59 seconds East, 119.07 feet;
- 4) North 23 degrees, 17 minutes, 01 seconds West, 25.00 feet to the northerly line of Nicolls Road;

Thence easterly along said northerly line the following six (6) courses and distances;

- 1) North 66 degrees, 42 minutes, 59 seconds East, 434.46 feet;
- 2) North 75 degrees, 19 minutes, 19 seconds East, 218.74 feet;
- 3) North 79 degrees, 49 minutes, 49 seconds East, 150.57 feet;
- 4) North 72 degrees, 56 minutes, 09 seconds East, 83.18 feet;
- 5) North 54 degrees, 59 minutes, 14 seconds East, 129.73 feet;
- 6) North 71 degrees, 38 minutes, 29 seconds East, 329.11 feet;

Thence southerly through Nicolls Road, South 18 degrees, 21 minutes, 31 seconds East, 50.00 feet to the southerly line of Nicolls Road;

Thence westerly along said road the following eight courses;

- 1) South 71 degrees, 38 minutes, 29 seconds West, 321.79 feet;
- 2) South 54 degrees, 59 minutes, 14 minutes West, 130.31 feet;
- 3) South 72 degrees, 56 minutes, 09 seconds West, 94.09 feet;
- 4) South 79 degrees, 49 minutes, 49 seconds West, 151.57 feet;
- 5) South 75 degrees, 19 minutes, 19 seconds West, 213.07 feet;
- 6) South 66 degrees, 42 minutes, 59 seconds West, 548.91 feet;
- 7) South 62 degrees, 28 minutes, 29 seconds West, 331.48 feet;
- 8) South 66 degrees, 45 minutes, 24 seconds West, 688.73 feet to the easterly line of Little East Neck Road, and the point of beginning.

Being 95,715± square feet or 2.197± acres.

Described By: MF
Checked By: JRM
Revised By: MF
Checked By: JSS

Date: 3/11
Date: 3/11
Date: 5/11
Date: 5/11

Revised By: JSS
Checked By: JMc
Revised By: JSS

Date: 11/11
Date: 11/11
Date: 5/12

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

Clerk of the Legislature

Intro. Res. 1882

Res. No. 848

September 13, 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	<u>18</u>				

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 _____

Roll Call _____ Voice Vote

Tim Laube
 Tim Laube, Clerk of the Legislature