

**RESOLUTION NO. 1047 -2012, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW - TOWN OF BABYLON (SCTM NO. 0100-197.00-03.00-001.000)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

**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 0100 Section 197.00, Block 03.00 Lot 001.000 and acquired by Tax Deed on March 18, 1991 from General L. Rains, the County Treasurer of Suffolk County, New York, and recorded on March 26, 1991 in Liber 11238 at Page 204 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Babylon under Suffolk County Tax Map No. District 0100 Section 197.00, Block 03.00 Lot 001.000; and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Babylon has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has approved the proposed transfer and use of said parcel; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Director of Real Estate, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Babylon for the sum of \$1.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Town of Babylon will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Public Parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Babylon, at any time, uses or attempts to use said subject parcel for other than Public Parking purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Public Parking purposes; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said quitclaim deed tendered by the Director of Real Estate, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being

1977

Exhibit "A"

**RESOLUTION NO. 241 APRIL 3, 2012  
REQUESTING THE CONVEYANCE OF A PARCEL FROM  
SUFFOLK COUNTY TO THE TOWN OF BABYLON**

The following resolution was offered by Alternate Councilwoman McVeety and seconded by Councilman Donnelly:

WHEREAS, the County of Suffolk is the owner of a parcel of land identified by SCTM#0100-197.00-03.00-001.000; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for general municipal purposes,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as SCTM#0100-197.00-03.00-001.000, pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon; and

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5      YEAS: 5      NAYS: 0

The resolution was thereupon declared duly adopted.

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 November 20, 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					
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	18				

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*

Tim Laube, Clerk of the Legislature

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