

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 38 -2013, AUTHORIZING THE ACQUISITION OF A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0800 SECTION 182.00 BLOCK 01.00 LOT 011.004 FOR SEWAGE PUMPING PURPOSES AND REQUESTING CONVEYANCE OF SAME FROM THE TOWN OF SMITHTOWN, SUFFOLK COUNTY, NEW YORK PURSUANT TO GENERAL MUNICIPAL LAW §72-H**

**WHEREAS**, a certain parcel of real property presently owned by the Town of Smithtown, County of Suffolk, New York, and having a Suffolk County Tax Map Identification Number of District 0800 Section 182.00 Block 01.00 Lot 011.004, is situated within the geographical boundaries of the Town of Smithtown, Suffolk County, New York a map and description of same being attached hereto as Exhibit "A" (hereinafter referred to as the "subject parcel"); and

**WHEREAS**, the County of Suffolk, New York is interested in acquiring a portion of the subject parcel of real property for the purpose of using the subject parcel for sewage pumping purposes; and

**WHEREAS**, conveyance of the subject parcel must be authorized by the Town Board of Smithtown, Suffolk County, New York, by duly adopted resolution; and

**WHEREAS**, acquisition of said parcel(s) pursuant to General Municipal Law Section 72-h, as an intergovernmental transfer is a Type II action pursuant to 6 NYCRR 617.5(c)(19) and, therefore, no further SEQRA review is required; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the County of Suffolk does hereby authorize the acquisition and requests the conveyance of that parcel having a Suffolk County Tax Map Identification Number of District 0800 Section 182.00 Block 01.00 Lot 011.004, more particularly described in Exhibit "A", pursuant to New York State General Municipal Law Section 72-h for a consideration not to exceed Ten & 00/100 Dollars (\$10.00) (to be waived) plus pro-rata taxes at the time of closing; and be it further

**2<sup>nd</sup>** **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).

DATED: February 5, 2013

APPROVED BY:



County Executive of Suffolk County

Date: 2-14-2013

**EXHIBIT "A"**

2238

December 21, 2011

**Description of Proposed Pump Station 1  
Suffolk County Department of Public Works  
Water District Property  
New Highway, Hauppauge, Town of Smithtown  
County of Suffolk, State of New York  
Suffolk County Tax Map: District 0800, Section 182,  
Block 01, Part of Lot 11.4**

All that certain plot, piece or parcel of land, situate, lying and being in Hauppauge, Town of Smithtown, County of Suffolk, State of New York. Said property as shown on a survey prepared by H2M Group, last dated November 19, 2010, as project number SUFF 0503. Property also known as part of lot 3 as shown on the Map of Corporate Park at Hauppauge, filed October 8, 1982 as map number 7123. Said property being more particularly bounded and described as follows:

Beginning at a point on the southerly side of New Highway. Said point being further described as being 382.50 feet westerly along the southerly side of New Highway from the westerly end of a curve connecting the westerly side of Marcus Boulevard with the southerly side of New Highway. Thence the following three (3) courses through lot 3 as shown on the Map of Corporate Park at Hauppauge;

1. South 12 degrees, 43 minutes, 17 seconds east, 39.50 feet.
2. South 76 degrees, 30 minutes, 39 seconds west, 80.00 feet
3. North 13 degrees, 29 minutes, 21 seconds west, 39.49 feet to the southerly side of New Highway.

Thence easterly along the southerly side of New Highway North 76 degrees, 30 minutes, 39 seconds east, 80.53 feet to the point or place of beginning.

Containing within said bounds 3,169.90 Sq. Ft. or 0.07 Acres.

2238

**NOTE**

1. THE PROPERTY IS SHOWN AS PART OF LOT 3, MAP OF CORPORATE PARK AT HAUPPAUGE, FILED OCTOBER 8, 1987 AS FILE NO. 712.
2. THE PROPERTY IS IN THE NEW YORK STATE PLANE COORDINATE SYSTEM LONG ISLAND ZONE, NAD 1983.
3. ELEVATIONS REFER TO M.A.S.L. (MAY 1984).
4. A TITLE REPORT WAS NOT FURNISHED AS PART OF THIS SURVEY.

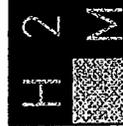
**New Highway**  
(Vertical Right-of-Way)

**Marcus Boulevard**

**LEGEND**

- INLET
- UTILITY POLE/UTILITY POLE
- SPOT ELEVATION
- TOPSOIL CURB GRADE
- EMERGENCY TREE TAG NUMBER
- DECIDUOUS TREE TAG NUMBER
- CURB
- UNDERGROUND GAS
- OVERHEAD WIRES
- FENCE
- FILE MAP LOT NUMBER

JOHN SCHURR, P.L.S.



architects & engineers

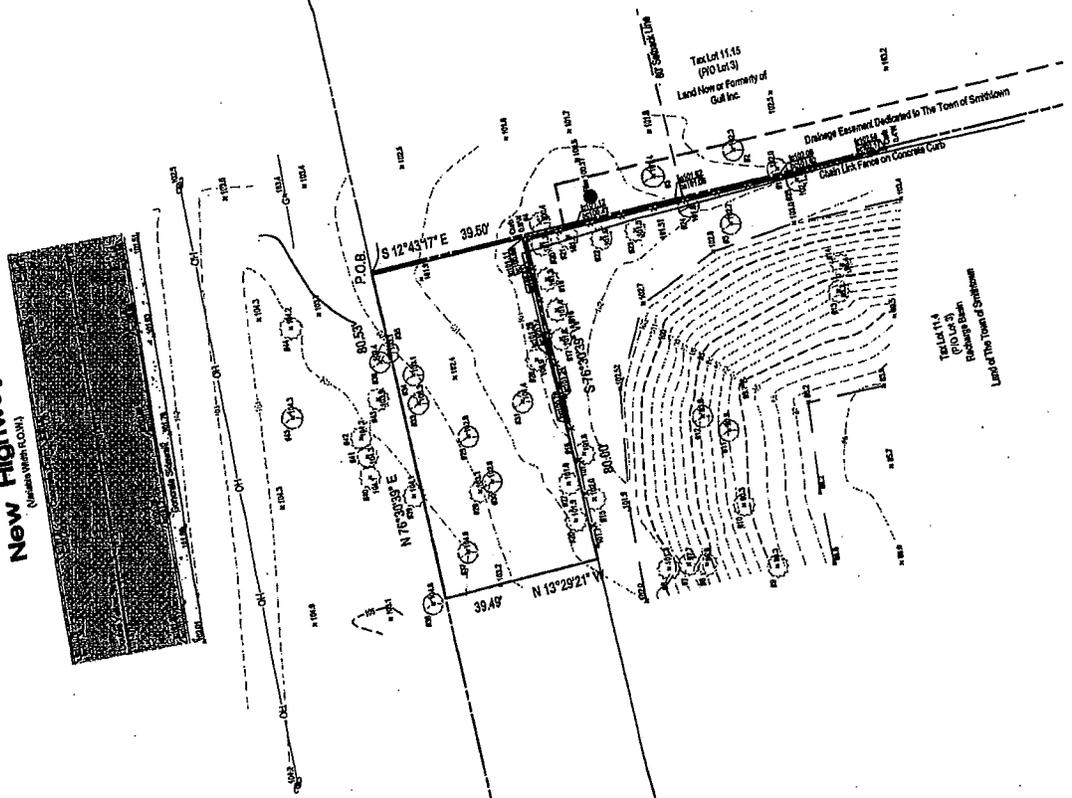
215 West 42nd Street  
New York, NY 10018  
Tel: (212) 691-1111  
Fax: (212) 691-1112

COMPILED BY:	DATE:	SCALE:
JSM/AM	11/18/86	1"=50 FEET

**SURVEY FOR**  
**SUFFOLK COUNTY DEPARTMENT OF**  
**PUBLIC WORKS**  
**PROPOSED PUMP STATION No. 1**  
HAUPPAUGE, SUFFOLK COUNTY  
TOWN OF SUTHERTON

**TOPOGRAPHIC SURVEY OF**  
**PART OF LOT 3**  
**MAP OF**  
**CORPORATE PARK AT HAUPPAUGE**  
SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS  
SETBACK DISTRICT 002, SECTION 02, BLOCK 01, PLO LOT 114

REVEALED PROPERTY LINE ADJACENT TO THE UNIMPROVED ALLEYWAY IS INDICATED BY THIS SURVEY. A VALIDATION OF SECTION 114 OF THE SUBDIVISION MAP ACT (S.M.A.) HAS BEEN OBTAINED FROM THE COUNTY CLERK'S OFFICE. THE SURVEY MAP HAS NOT BEEN RECORDED. THE SURVEY MAP WILL BE RECORDED IN THE COUNTY CLERK'S OFFICE. THE SURVEY MAP WILL BE RECORDED IN THE COUNTY CLERK'S OFFICE. THE SURVEY MAP WILL BE RECORDED IN THE COUNTY CLERK'S OFFICE.



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 February 5, 2013 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:**  
 Krupski, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**  
 Krupski, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**  
 Krupski, 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	AI KRUPSKI					
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		15	3			

**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