

RESOLUTION NO. 52 -2013, AUTHORIZING THE SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF EAST HAMPTON (SCTM NOS. 0300-058.00-08.00-005.000, 0300-058.00-08.00-006.001 and 0300-058.00-08.00-006.002)

WHEREAS, Section 72-h of New York General Municipal Law permits a transfer of real property between municipal corporations; and

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of certain parcels that are surplus to the needs of the County of Suffolk as described in the attached Exhibit "A"; and

WHEREAS, the Town of East Hampton has requested that the County of Suffolk convey these parcels to it (see annexed Exhibit "B"); now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the properties described in Exhibit "A" on the terms and conditions as hereinafter described to said Town of East Hampton for the sum of \$7,920.56, plus the pro rata share of taxes; and be it further

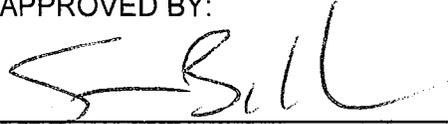
2nd **RESOLVED**, that the Town of East Hampton will use the subject parcels for general municipal purposes, with all right title and interest reverting to the County of Suffolk in the event that the Town of East Hampton, at any time, uses or attempts to use said subject parcels for other purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for general municipal purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed issued by the Division of Real Property Acquisition and Management, 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 used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **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 the 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. Sections 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).

DATED: February 5, 2013

APPROVED BY:

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

County Executive of Suffolk County

Date: 2-14-2013

EXHIBIT "A"

Tax Map No.	Location	Acre
0300-058.00-08.00-005.000	N/S/O Lincoln Avenue, 200' E/O Norfolk Street, East Hampton	0.25
0300-058.00-08.00-006.001	N/S/O Lincoln Avenue, 140' E/O Norfolk Street, East Hampton	0.197
0300-058.00-08.00-006.002	N/S/O Lincoln Avenue, 100' E/O Norfolk Street, East Hampton	0.091

Exhibit "B"



East Hampton Town Board
159 Pantigo Road
East Hampton, NY 11937

Fred Overton
Town Clerk
(631) 324-4142
www.town.east-hampton.ny.us

Meeting: 02/15/08 10:00 AM
DOC ID: 5328 A

RESOLUTION 2008-237

Suffolk County Auction Lands Authorize Acquisition

AUTHORIZE ACQUISITION

Property of: Suffolk County, Auction and Sales Unit

Address: Lincoln Ave.

SCTM #: 300-58-8-5, 6.1 & 6.2

WHEREAS, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **February 15, 2008** to consider the acquisition of approximately **.5 acres** of land located on **Lincoln Ave., Springs**, which land is identified on the Suffolk County Tax Map as **SCTM #300-58-8-5, 6.1 & 6.2**; and

WHEREAS, the title to this property is currently owned by Suffolk County, and is being offered to the Town for the County's total investment; and

WHEREAS, the proposed purchase price for fee simple acquisition of the subject property is **\$4,788.88**, plus survey, title, prorated tax, and recording charges; and

WHEREAS, the purpose of said acquisition is preservation of open space and community character; and

WHEREAS, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Suffolk County**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$4,788.88**, plus reasonable survey, title, prorated tax, and recording charges; and be it further

RESOLVED, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Budget Officer is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

RESOLVED, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund Budget Account**.

FISCAL IMPACT:

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

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	
<input checked="" type="checkbox"/>	Approve
Table:	
<input type="checkbox"/>	Send To Committee
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 <input type="checkbox"/>
No Motion <input type="checkbox"/>	No Second <input type="checkbox"/>

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call Voice Vote