

**RESOLUTION NO. 153 -2013, AUTHORIZING THE
TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK
COUNTY DEPARTMENT OF PARKS, RECREATION AND
CONSERVATION**

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property, surplus to its needs, described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, these parcels, as shown on aforesaid Exhibit "A" have been identified by the Suffolk County Department of Economic Development and Planning, Division of Real Property Acquisition and Management as within the confines of the area designated as the Pine Barrens Core; and are adjacent or associated with presently existing Suffolk County Parkland/Nature Preserve; and

WHEREAS, as a result thereof the jurisdiction of said parcels should be transferred to the Suffolk County Department of Parks, Recreation and Conservation in order to become part of said Suffolk County Parkland; and

WHEREAS, if it is found that such properties shown on Exhibit "A", once transferred or dedicated, have created a landlocked parcel or parcels, or denied access to such parcel or parcels, such portion of the dedication was inadvertent, and it is the intention of the Suffolk County Legislature not to dedicate such land to Suffolk County Parks system and/or Nature Preserve as may be required to maintain access and to prevent said properties from being either landlocked or having access denied thereto; and

WHEREAS, it is not the intention of the Suffolk County Legislature to grant rights to adjacent property owners that did not exist at the time of this dedication; and

WHEREAS, Section 406, Real Property Law, provides that municipal real property held on public use shall be free of taxation; now, therefore be it

1st **RESOLVED**, that the Director of Real Estate, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above described properties for the above stated reasons and purpose; and be it further

2nd **RESOLVED**, that in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and proper to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

3rd **RESOLVED**, that said parcel(s) are held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Towns of, Brookhaven and Southampton, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad

valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforestated assessors for this purpose; and be it further

4th **RESOLVED**, that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED: March 5, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 12, 2013