

**RESOLUTION NO. 1043 -2013, ADOPTING LOCAL LAW  
NO. 45 -2013, A LOCAL LAW TO AUTHORIZE CONVEYANCE  
OF REAL PROPERTY PREVIOUSLY TAKEN FOR  
DELINQUENT TAXES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on September 12, 2013, a proposed local law entitled, "**A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 45 -2013, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL  
PROPERTY PREVIOUSLY TAKEN FOR DELINQUENT TAXES**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that there exists several mechanisms which allow prior owners to redeem real property that the County has taken for taxes.

This Legislature further finds that prior owners, who meet stringent hardship criteria, may reclaim their properties but they must make an application to redeem within two years and six months of the recording of the County's tax deed.

This Legislature also determines that the County of Suffolk has taken a tax deed to a property located at 93 Clinton Avenue, Mastic, which was previously owned by Stephen and Maryanne Durkin. Mr. and Mrs. Durkin's granddaughter, Cassidy Szufkada, was born with numerous medical ailments and Cassidy lived most of her short life with the Durkins. The Durkins provided for many of their granddaughter's needs and also paid a substantial amount in medical bills. As a result, the Durkin's failed to pay their property taxes. The Durkins granddaughter passed away in April, 2009.

This Legislature finds that the Durkins' circumstances satisfy the County's criteria for a Section 215 Redemption, but they filed their hardship application after the statutory deadline.

This Legislature concludes that returning ownership of the above described property to the Durkins for the total amount of arrears due and owning is just and equitable and in the best interest of the County of Suffolk.

Therefore, the purpose of this law is to authorize the Division of Real Property Acquisition and Management to convey to Stephen and Maryanne Durkin a parcel located in Mastic, Town of Brookhaven, previously taken by the County for non-payment of taxes.

**Section 2. Conveyance Authorized.**

Notwithstanding the provisions in any special law, local law or resolution to the contrary, the Director of the Suffolk County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to execute, acknowledge and deliver a quitclaim deed to Stephen and Maryanne Durkin for real property located at 93 Clinton Avenue, Mastic, New York for real property Suffolk County Tax Map No. 0200-852.00-05.00-040.000 upon receipt of all unpaid taxes, interest, penalties and charges due and owing to the County of Suffolk. The Division of Real Property Acquisition and Management must close on the reconveyance within 60 days of the effective date of this local law.

**Section 3. Applicability.**

This law shall apply only to the property described in Section 2 herein.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED: November 19, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: December 4, 2013  
After a public hearing duly held on December 2, 2013  
Filed with the Secretary of State on December 26, 2013