

**RESOLUTION NO. 1060 -2013, AUTHORIZING THE SALE OF
COUNTY PARCEL BEARING SCTM NO. 0200-951.00-06.00-
093.001 PURSUANT TO NY COUNTY LAW § 215(8)**

WHEREAS, the County of Suffolk is the fee owner of the following described parcel;

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk ("County"), and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 951.00, Block 06.00, Lot 093.001, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112; and

WHEREAS, Jobarn Realty Corp. ("Jobarn") has commenced an action in the Supreme Court, Suffolk County seeking an order voiding a tax deed taken by the County on the ground that the County failed to send the required legal notices thereby depriving Jobarn of adequate due process, amongst other irregularities; and

WHEREAS, Jobarn has agreed to voluntarily discontinue its action and pay to the County the amount of \$100,000.00 by certified check or money order which amount is in excess of the estimated taxes, interest, charges and County disbursements for the subject property in exchange for a Quitclaim Deed for the subject parcel; and

WHEREAS, NY County Law § 215(8) authorizes the sale of parcels taken by tax deed without the requirement that such property be declared surplus and be auctioned to the highest bidder; and

WHEREAS, it is in the best interest of Suffolk County to settle this matter in order to avoid the uncertainties and costs of litigation and to promptly restore this property to private ownership and on the tax rolls; now, therefore be it

1st **RESOLVED**, that the County Attorney is hereby authorized to settle the action brought by Jobarn and to execute such documents as may be necessary to effectuate this Resolution; and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or her designee, be and she hereby is authorized to execute and acknowledge a Quitclaim Deed to Jobarn, 4 Sunken Valley Drive, Mount Sinai, New York 11766 to transfer the interest of Suffolk County in the Subject Parcel conditioned upon Jobarn providing to the County the sum of \$100,000 by certified check or money order, an executed General Release and Stipulation of Discontinuance with prejudice; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes an Unlisted action pursuant to 6 NYCRR Section 617.4(b)(4) and Chapter 279 of the Suffolk County Code

involving the sale of less than 100 acres, which will not be further developed, and that there is no significant adverse environmental impact; and be it further

4th **RESOLVED**, 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 the law.

DATED: November 19, 2013

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: November 29, 2013