

Intro. Res. No.1770-2014
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 9/9/2014

**RESOLUTION NO. 868 -2014, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976 THE
NATURE CONSERVANCY (SCTM NO. 0600-030.00-03.00-
030.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600 Section 030.00 Block 03.00 Lot 030.000 and acquired by Tax Deed on May 17, 2011 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 18, 2011 in Liber 12660 at CP 331 and described as follows, known and designated as Lot 59 on a certain map entitled "Map of Tide Woods" and filed in the Office of the Clerk of the County of Suffolk on February 25, 1969 as Map No. 5259.

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, The Nature Conservatory, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described being in size approximately 112' x 161' x 230' x 130' x 38' has been appraised at \$5,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of Real Estate, and/or her designee, has received and deposited the sum of \$5,000.00, pursuant to said purchase offer; and

WHEREAS, as provided in Resolution No. 840-2004 and Resolution No. 412-2005, this Legislature has determined that retention of development rights for transfer and use to promote the development of workforce housing is a vital need of Suffolk County residents and an important public purpose of County Government; and

WHEREAS, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, therefore be it

1st **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. Section 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); and be it further

2nd **RESOLVED**, that the County of Suffolk hereby transfers the above described property subject to it being sterilized for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by The Nature Conservancy without impairing the essential nature and open character of the premises and subject to use for open space and recreational purposes; and be it further

3rd **RESOLVED**, that pursuant to Section C12-2(A)(2)(c), this property is to be permanently sterilized by a deed restriction and must remain as open space and Workforce Housing Development Rights shall be severed herewith one (1) Workforce Housing Development Rights and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program Registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Economic Development and Planning, consistent with Resolution No. 412-2005, as amended and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

4th **RESOLVED**, that said Bargain and Sale deed tendered by the Director of Real Estate, and /or her designee, pursuant to this resolution, shall contain appropriate language that shall permanently sterilize the above-described parcel and sever the development rights for workforce housing purposes in accordance with the County's Workforce Housing Program to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said THE NATURE CONSERVANCY, a District of Columbia non-profit corporation with a principal address at 4245 North Fairfax Drive, Arlington, Virginia 22203, and maintaining a New York State office at 195 New Karner Road, Suite 200, Albany, New York 12205, and authorized to do business in New York State as THE NATURE CONSERVANCY, INC.

DATED: October 7, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 16, 2014