

RESOLUTION NO. 863 -2014, AUTHORIZING THE ACQUISITION OF LAND IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, FROM HORTON LANE TO THE VICINITY OF GROVE ROAD, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK (CP 5526, PHASE 2)

WHEREAS, in an effort to minimize the economic cost and time delays associated with compulsory acquisitions made under the provisions of the New York State Eminent Domain Procedure Law, the Suffolk County Legislature, by Resolution No. 41-2013, authorized planning steps for the voluntary acquisition of land in advance of public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties, for the reconstruction of CR 48, Middle Road from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York; and

WHEREAS, the Commissioner of the Department of Public Works was directed to prepare maps showing the properties to be acquired for the reconstruction of CR 48, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and the dimensions of the parcels to be acquired; and

WHEREAS, said maps were prepared on or about September 11, 2012, and are entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF CR 48, MIDDLE ROAD, FROM HORTON LANE TO THE VICINITY OF GROVE ROAD, TOWN OF SOUTHOLD, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, the project herein consists of one (1) separate acquisition map(s);
and

WHEREAS, the project has been adopted in the 2014 Capital Budget as and by Capital Project No. 5526; and

WHEREAS, in accordance with the directives of this Legislature and the rules and regulations of the Department of Public Works and based upon an appraisal, the Department of Public Works extended an offer in the amount of one hundred sixty-seven thousand dollars (\$167,000.00) to the owner of the parcel sought to be acquired as set forth in the acquisition map; and

WHEREAS, prior to any public hearing which would have been required by Section 204 of the Eminent Domain Procedure Law, the owner of the below parcel contained in the acquisition map accepted the County's offer:

MAP PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District: 1000 Section: 055.00 Block: 03.00 Lot: 006.001	1.52+/-	Moffat Farm South, LLC PO Box 526 Bolin, CA 94924-0526

now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the property set forth in the paragraph immediately above, said acquisition to be made in the name of the County of Suffolk in accordance with the amount offered; and be it further

2nd **RESOLVED**, that said acquisition is to be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the map heretofore adopted as part of the 2014 Capital Budget as and by Capital Project No. 5526; and be it further

3rd **RESOLVED**, the Commissioner of the Suffolk County Department of Public Works, or his duly appointed Designee, is hereby authorized empowered and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance, and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said acquisition parcel(s); and be it further

4th **RESOLVED**, that pursuant to Resolution No.1113-2001 duly adopted by the Suffolk County Legislature, the above activity constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the SUFFOLK COUNTY CODE; and be it further

5th **RESOLVED**, that pursuant to Resolution No.1113-2001 duly adopted by the Suffolk County Legislature the project will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) A positive drainage system will be installed to improve drainage and eliminate discharging runoff to surface waters wherever possible;
- 3.) All necessary N.Y.S.D.E.C. permits will be obtained; and
- 4.) Traffic safety will be improved.

DATED: October 7, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: October 16, 2014