

**RESOLUTION NO. 1125 -2014, AUTHORIZING AGREEMENT
WITH UNITED STATES OF AMERICA FOR THE SALE OF TAX
DEED PARCEL THAT WAS SUBJECT OF FEDERAL ORDER
OF FORFEITURE**

WHEREAS, on September 28, 2010, a Preliminary Order of Forfeiture was entered in a Federal lawsuit, *United States of America v. Joseph Romano*, Docket No. 09 CR 170 wherein the property located at 63-65 Montauk Highway, Copiague, New York (SCTM No. 0100-180-2-10) ("Subject Parcel") was to be forfeited to the United States; and

WHEREAS, on February 9, 2012, a Final Order of Forfeiture (the "Final Order") was entered in the above noted case against the Defendant; and

WHEREAS, prior to the issuance of the Final Order, on or about November 21, 2011, the County of Suffolk, New York ("County") took the tax deed on the Subject Parcel for unpaid real estate taxes, which was recorded on November 23, 2011, in Liber 12677 Page 505; and

WHEREAS, both the United States and the County assert their respective authority to sell the Subject Parcel but acknowledge the difficulties that would be attendant to each in providing insurable title in light of the other's recorded interests; and

WHEREAS, the United States and the County have mutually agreed to a plan for the sale and disposition of the Subject Parcel whereby the United States would market and sell the property and upon such sale would reimburse the County for all tax arrears in addition to proceeds from the sale up to the amount of \$50,000; and

WHEREAS, the United States and Suffolk County agree that in order to maximize and preserve the equity in the Subject Parcel, to avoid deterioration, depreciation and potential vandalism that may occur, and to avoid additional costs to the County by reason of holding title to the Subject Parcel during protracted litigation to settle the dispute, it is in the best interests of the taxpayers that a mutual agreement be reached between the United States and the County; now, therefore be it

1st RESOLVED, that the Suffolk County Executive and or/his designee is hereby authorized, empowered, and directed to enter into an agreement with the United States subject to the approval of the County Attorney for the sale of the Subject Parcel in accordance with this resolution and that the Director of the Division of Real Property, Acquisition and Management and or/her designee and the County Attorney and or/his designee is hereby authorized, empowered and directed to execute such documents as may be necessary to effectuate the agreement and the intent of this resolution; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 N.Y.C.R.R.) 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, and 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 resolution.

DATED: December 2, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 11, 2014