

**RESOLUTION NO. 97 -2015, AUTHORIZING ADDITIONAL TIME PERIOD FOR COMPLETION OF NEGOTIATION PROCESS IN CONNECTION WITH PROPOSED ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS (WADE PROPERTY)**

**WHEREAS**, Suffolk County Procedural Resolution No. 21-2014, dated as of June 3, 2014, authorized the Division of Real Property Acquisition and Management (the "Division") to make an offer to purchase the Farmland Development Rights related to an approximate fifteen (15) acre site located in Wheatley Heights, as more particularly set forth on Schedule "A" attached hereto (the "Subject Premises"), for a purchase price of \$5,612,490 or \$369,000 per acre; and

**WHEREAS**, the offer was made by the Division and accepted by the sellers, Gustave and Carol Wade (the "Sellers"), and a Contract of Sale (the "Contract of Sale"), setting forth the terms of the purchase and sale, was forwarded to the Sellers on or about September 15, 2014; and

**WHEREAS**, Section 1070-20 of the Suffolk County Code requires the Division to complete the negotiation process within ninety (90) days of the approval by the Legislature of the Procedural Motion or either deem the negotiations to be indefinitely suspended or return to the Environment, Planning and Agriculture Committee of the Legislature for authorization of an additional time period to complete the negotiations; and

**WHEREAS**, the Contract of Sale has not yet been executed and negotiations in connection with the Contract of Sale are suspended; and

**WHEREAS**, a request has been made to the Division to extend the time limit for completion of the negotiation process until May 7, 2015, in order to permit the Sellers to complete an overall assessment with the Town of Babylon in connection with the preservation of the Subject Premises and the development of the property adjacent to the Subject Premises that is also owned by the Sellers; now, therefore be it

**1st RESOLVED**, that the time limit for the Division to complete the negotiation process and for the Sellers to execute the Contract of Sale in connection with the Subject Premises is hereby extended until May 7, 2015; and be it further

**2nd RESOLVED**, in the event the Contract of Sale is not executed by the Sellers by May 7, 2015, then the Offer shall be deemed withdrawn and negotiations in connection with the purchase of the Farmland Development Rights on the Subject Premises shall be deemed terminated without further necessary action by the Division; 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 resolution constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5 (c) (20) and (27) as the proposal involves the adoption of regulations, procedures, and local legislative decisions in connection with routine or continuing agency administration and management.

DATED: March 3, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: March 17, 2015