

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 419 -2015, APPROVING THE CONVEYANCE OF A CERTAIN PORTION OF A PARCEL OF REAL PROPERTY HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0900 SECTION 137.00 BLOCK 01.00 LOT 032.000 TO THE TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK IN EXCHANGE FOR A PART OF A PARCEL HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0900 SECTION 118.00 BLOCK 02.00 LOT 001.000 PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW

WHEREAS, a certain parcel of real property presently owned by the Town of Southampton, County of Suffolk, New York, and having a Suffolk County Tax Map Identification Number of District 0900 Section 118.00 Block 02.00 Lot 001.000, is situated within the geographical boundaries of the Town of Southampton, Suffolk County, New York, a map and description of same being attached hereto as Exhibit "1"; and

WHEREAS, the County of Suffolk, New York is interested in acquiring said parcel of real property for the purpose of using said parcel for public highway purposes; and

WHEREAS, the Town Board of the Town of Southampton, Suffolk County, New York, has indicated a willingness to convey said parcel of parkland to the County of Suffolk in exchange of a substitute parcel of land that would be used for Town parkland purposes and is presently owned by Suffolk County and has a Suffolk County Tax Map Identification Number of District 0900 Section 137.00 Block 01.00 Lot 032.000, a map and description of same being attached hereto as Exhibit "2"; and

WHEREAS, the parcel of land having a Suffolk County Tax Map Identification Number of District 0900 Section 118.00 Block 02.00 Lot 001.000, (Exhibit "1") is presently owned by the Town of Southampton for parkland purposes and cannot be alienated by said municipality without the approval of the State of New York and the approval of a ballot proposition of the Electors of the Town of Southampton; and

WHEREAS, the Town Board of the Town of Southampton, Suffolk County, New York, by Southampton Town Board Resolution No. 2014-807 and by Southampton Local Law No. 28 of 2014 duly approved on August 28, 2014 has authorized the conveyance of said parcel to the County of Suffolk, a copy of said resolution being attached hereto and marked as Exhibit "3" and a copy of said Local Law being attached hereto and marked as Exhibit "4"; and

WHEREAS, the Town Board of the Town of Southampton as lead agency, by Town of Southampton Adopted Resolution No. RES-2014-939 issued a Negative Declaration when it determined that the exchange of properties pursuant to GML §72-h to be an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 157 of the Southampton Town Code and, therefore, no further SEQRA review is required; a copy of said resolution being attached as Exhibit "5"; and

WHEREAS, New York State Senate Bill No. S07620 was passed by the New York State Senate on June 17, 2014 and an identical New York Assembly Bill No. A09706 was

passed by the New York State Assembly on 06/19/2014 and signed into law by the Governor of the State of New York on July 22, 2014 as Chapter 176 of the New York State Session Laws of 2014; wherein the discontinuance of the parkland purpose for the parcel described herein as Exhibit "1" was permitted in exchange for the dedication for parkland purposes of the parcel described herein as Exhibit "2" a copy of said New York State legislation being attached as Exhibit "6"; and

WHEREAS, in a ballot proposition of the Electors of the Town of Southampton duly held on the November 4, 2014 general election, the conveyance of parcel described in Exhibit "1" attached hereto in exchange for the dedication for parkland purposes of parcel described in Exhibit "2" attached hereto was duly authorized; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to convey to the Town of Southampton, in Fee Simple, the parcel described in Exhibit "2" attached hereto in exchange for the parcel described in Exhibit "1" attached hereto by the Town of Southampton, without any monetary consideration; and be it further

2nd **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 to execute such other documents as are required to consummate this transaction.

DATED: May 12, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 28, 2015