

**RESOLUTION NO. 508 -2015, AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED SURPLUS UNUSED RIGHT-OF-WAY FRONTING A PARCEL OF LAND HAVING A SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBER OF DISTRICT 0100 SECTION 230.00 BLOCK 01.00 LOT 053.00 PURSUANT TO SECTION 125 OF THE NEW YORK STATE HIGHWAY LAW**

**WHEREAS**, the County of Suffolk is the fee owner of a certain portion of unused right of way situated in the Town of Babylon, Suffolk County, New York as more fully described in the map and description attached as Exhibit "1"; and

**WHEREAS**, said unused portion of right-of-way is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the unused portion of the right-of-way described in Exhibit "1" attached hereto, has already been assigned the Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 094.003; and

**WHEREAS**, Section 125 of the New York State Highway Law strictly limits the sale of surplus unused right-of-way to the property owner fronting said unused right of way at fair market value; and

**WHEREAS**, William and Mary DeGrocco, the present owners of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 053.000 has requested to purchase from the County of Suffolk, at fair market value, the surplus and unused right of way fronting said tax map parcel; and

**WHEREAS**, the County of Suffolk did commission appraisals for the requested conveyance that were performed by an independent, outside appraiser selected in accordance with established Suffolk County procedures; and

**WHEREAS**, upon review of said appraisals in accordance with established Suffolk County procedures, the County of Suffolk determined that the fair market value of the unused and surplus right of way fronting the privately owned parcel of real property having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 094.003 was Eight Thousand Eight Hundred & 00/100 (\$8,800.00) Dollars; and

**WHEREAS**, William and Mary DeGrocco, the present owners of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 053.000 has agreed to pay to the County of Suffolk the sum of Eight Thousand Eight Hundred & 00/100 (\$8,800.00) Dollars, said sum representing the fair market value of the surplus and unused right of way fronting said tax map parcel; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR part 617; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the action will not have a significant adverse impact on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617.7(c) which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
2. The proposed action simply transfers ownership of land;

and be it further

**3<sup>rd</sup>** **RESOLVED**, said parcel is surplus to the needs of the County of Suffolk; and be it further

**4<sup>th</sup>** **RESOLVED**, that this purchase is authorized pursuant to Section 125 of the New York State Highway Law; and be it further

**5<sup>th</sup>** **RESOLVED**, the Suffolk County Department of Public Works is directed to convey said surplus and unused right of way described herein to William and Mary DeGrocco, the present owner or successors in interest of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230 Block 01 Lot 094.003 for the sum of Eight Thousand Eight Hundred & 00/100 (\$8,800.00) Dollars plus the pro-rata share of the current tax adjustments due at closing along with all recording fees and transfer taxes; and be it further

**6<sup>th</sup>** **RESOLVED**, that the Suffolk County Department of Public Works, will receive and deposit the sum of Eight Thousand Eight Hundred & 00/100 (\$8,800.00) Dollars, plus the pro-rata share of the current tax adjustments pursuant to said purchase offer into general fund account 001-DPW-1490-2660-Sale of Real Property; and be it further

**7<sup>th</sup>** **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his Designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property and upon the above-described terms and conditions to said party or their successors in interest.

DATED: June 2, 2015

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: June 17, 2015