

**Authorizing Acquisition Of Certain Real Property For The Purpose Of Replacing The Bridge On Denning Road Over The East Branch Neversink River – Department Of Public Works (Highways And Bridges)**

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano, and Legislators Briggs, Maloney, Parete and Roberts) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Maio, Maloney, Provenzano, Rodriguez and Ronk)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete offer the following:

WHEREAS, the Ulster County Legislature approved Resolution # 284 on November 13, 2003 establishing Capital Project 260, and Resolutions # 200 on June 14, 2006, and #172 on July 17, 2012 authorizing a bond resolution and amending Capital Project 260 to increase funding for right of-way acquisition for the project to replace the bridge on Denning Road (the “Project”); and

WHEREAS, the project engineer has identified specific real property which the County needs to acquire in order to accomplish the Project; and

WHEREAS, appraisals have been conducted to determine the fair and reasonable value of the property as just compensation under the circumstances for each of the parcels identified as necessary to be acquired; and

WHEREAS, the County has negotiated with the owners of these necessary parcels for their acquisition; and

WHEREAS, the owners of these parcels, identified below, have accepted the County’s offer and are willing to convey the property to the County as follows:

<u>Name</u>	<u>Property</u>	<u>Property Interest</u>	<u>Offer</u>
A) Patricia Eakins and Peter Martin	15 Wildcat Road Claryville, NY 12725	Fee Simple	\$ 900
B) James Jenner and Brenda Lynn Bynum	16 Wildcat Road Claryville, NY 12725	Fee Simple	\$ 100
C) Jennifer Grimes	15 Sawmill Road Claryville, NY 12725	Fee Simple	\$2,050

; and

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WHEREAS, the legal owners of the parcel identified below cannot be readily ascertained, so the County Attorney’s Office initiate an eminent domain proceeding to take the property for just compensation and so as to resolve the issue of ownership:

<u>Name</u>	<u>Property</u>	<u>Property Interest</u>	<u>Offer</u>
A) John Wellington and Duke Wellington	Denning Road Claryville, NY 12725	Fee Simple	\$500

; and

WHEREAS, the Ulster County Department of Public Works as lead agency under the State Environmental Quality Review Act (SEQRA) has determined that the project is a Type II action under SEQRA, and as such will not have a significant effect on the environment; and

RESOLVED, the Ulster County Legislature hereby authorizes the Chairman of the Ulster County Legislature to execute, on behalf of the County of Ulster, any and all documents accepting the conveyance of the subject real property interest as filed with the Clerk of the Ulster County Legislature, or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21      NOES: 0  
(Absent: Legislators Aiello and Fabiano)

Passed Committee: Public Works and Capital Projects on October 9, 2013

Passed Committee: Ways and Means on October 15, 2013

FINANCIAL IMPACT:

\$3,550.00 – BUDGETED CAPITAL PROGRAM DOLLARS

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 22<sup>nd</sup> Day of October, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23<sup>rd</sup> Day of October in the year Two Thousand and Thirteen.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
24<sup>th</sup> Day of October, 2013.

Approved by the County Executive this  
31<sup>st</sup> Day of October, 2013.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

|s| Michael P. Hein  
Michael P. Hein, County Executive