

Authorizing The Chairman Of The Ulster County Legislature To Execute An Agreement With Dharmakaya To Accept A Conveyance Of Real Property – Department Of Public Works

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Briggs, Maloney, Roberts, and John Parete)

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

WHEREAS, the County of Ulster owns and is responsible for the maintenance of Cragsmoor Road in the Town of Wawarsing; and

WHEREAS, the County of Ulster already has a right-of-way along certain portions of the shoulder along Cragsmoor Road; and

WHEREAS, the Commissioner of the Ulster County Department of Public Works has requested that the County confirm the County's right-of-way boundary by acquiring the real property affected by the right-of-way in a fee interest; and

WHEREAS, Dharmakaya, a religious not for profit corporation, currently owns the real property adjacent to a portion of Cragsmoor Road and desires to convey their interest in the property to the County of Ulster; and

WHEREAS, Under New York Religious Corporation Law Section 12(l) a religious corporation can not sell any real property without first obtaining leave of the court pursuant to Not-for-Profit Law section 511, which includes submitting a petition to the New York Attorney General for approval; and

WHEREAS, Dharmakaya has filed said petition with the court, which is pending approval; now, therefore, be it

RESOLVED, that upon the receipt of proof of court approval, the Chairman of the Ulster County Legislature is authorized to execute, on behalf of the County of Ulster, any and all documents necessary to accept the conveyance of the subject real property 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: 23 NOES: 0
(Legislator Robert Parete arrived at 7:45 PM)

