

Authorizing The Chairman Of The Ulster County Legislature To Execute The Deed, Any Agreements And Documents Regarding The Conveyance Of County Railroad Property

The Public Works and Capital Projects Committee (Chairman Loughran and Legislators Cahill, Decker, Lomita, Fabiano, Felicello and Roberts) offers the following:

WHEREAS, the County of Ulster is the owner of the former Ulster and Delaware Railroad, extending from Kingston to Highmount, (hereinafter referred to as the "County Railroad property"), and

WHEREAS, as a result of a certain ground lease, the same of which has now been terminated, the County of Ulster leased a portion of that County Railroad property to the Ulster County Industrial Development Agency, and

WHEREAS, a portion of that County Railroad property previously leased to the Ulster County Industrial Development Agency abuts real property owned by Donna Spada, which is situated at the corner of Cornell Street and Tremper Avenue in the City of Kingston, and

WHEREAS, a portion of an industrial building, the majority of which is situated on the property of Donna Spada, currently overlaps and exists on the adjacent County real property as a result of that ground lease, and

WHEREAS, Donna Spada has requested that the County sell to her that portion of the County Real Property which abuts her lands as more particularly described in a metes and bounds description as prepared by Michael F. Vetere, Jr., PLS, a copy of which is annexed hereto and made a part hereof as Exhibit "A", and

WHEREAS, Local Law Number 4 of 1983 authorizes the County to sell or lease property to the Ulster County Industrial Development Agency, and

WHEREAS, the Ulster County Industrial Development Agency may sell or convey such real property at private sale without the constraints of those imposed upon the County, and

WHEREAS, the conveyance of this real property to the Ulster County Industrial Development Agency for the purpose of the Ulster County Industrial Development Agency conveying it to Donna Spada will result in an economic benefit to the County in that the real property will be placed upon the tax rolls and will enable the property to be marketable as a commercial and/or industrial site, and

WHEREAS, it is not in the best interest of the County to remove that portion of the Donna Spada building which is situated on the County property, and

Resolution No. 376 December 10, 2008

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WHEREAS, the Ulster County Legislature finds and determines that the property described in the description annexed hereto as Exhibit "A" and which is intended to be conveyed, is no longer necessary for public use, and

WHEREAS, the property proposed to be conveyed has been appraised by Hudson Valley Appraisal Corporation in an appraisal dated November 13, 2008, which has determined that the market value of this property is \$20,000.00, and

WHEREAS, the Ulster County Legislature has examined the proposed conveyance with respect to the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

RESOLVED, that the Ulster County Legislature hereby finds and determines that the action herein is an "unlisted action" which would not have a "significant effect" on the environment as such terms are defined under SEQRA, and

FURTHER RESOLVED, that the Ulster County Legislature hereby finds and determines that the property described in the proposed annexed description and which is intended to be conveyed herein, is no longer necessary for public use, and

FURTHER RESOLVED, that such property shall be conveyed to the Ulster County Development Agency for the sum of \$20,000.00 upon the condition that it immediately convey the property to Donna Spada; and should the Ulster County Industrial Development Agency fail to convey such property to Donna Spada within forty-five days of such conveyance by the County, then the property shall revert to the County, and any monies paid by the Ulster County Industrial Development Agency shall be returned to the Ulster County Industrial Development Agency, and

FURTHER RESOLVED, that the Chairman of the Ulster County Legislature is authorized on behalf of the County to execute the deed, any agreements and documents regarding this conveyance, in the form as filed with the Clerk of the Ulster County Legislature or as modified by the County Attorney,

Resolution No. 376 December 10, 2008

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(Absent: Legislators Aiello, Felicello and Kraft)

FINANCIAL IMPACT:

\$20,000.00 – REVENUE – SALE OF REAL PROPERTY

1204

Resolution No. 376 December 10, 2008

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EXHIBIT "A"

DESCRIPTION OF LANDS OF
THE COUNTY OF ULSTER
TO BE CONVEYED TO
DONNA SPADA

All that piece or parcel of land situate in the City of Kingston, County of Ulster and State of New York, being more particularly bounded and described as follows:

Beginning at a point on the Northwesterly street line of Cornell Street, said point being the Southwesterly corner of lands of Donna Spada (liber 2306, page 99), said point also being South 50°-33' -31" West, 116.35 feet from the Southwesterly street line of Tremper Avenue; thence South 50°-33' -31" West, continuing along said street line of Cornell Street, 34.02 feet to a set iron bar; thence through the lands of the County of Ulster (liber **1414**, page 933), North 60°-30'-11" West, 323.44 feet to a set iron bar and North 31°50' -25" East, 29.72 feet to a point on the Southwesterly bounds of Spada; thence South 60°-51' -13" East, along the last mentioned bounds, 334.46 feet to the point of beginning.

Being 10,099 square feet or 0.232 acre more or less.

All bearings are magnetic of February 1995 as surveyed by Michael F. Vetere, Jr., P.L.S. as shown on a map of the same dated July 30, 2008_