

Introduced by Presiding Officer, on request of the County Executive and Legislator Berland

**RESOLUTION NO. 404 -2020, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976 ART  
LEAGUE OF LONG ISLAND (SCTM NO. 0400-248.00-01.00-  
031.000)**

**WHEREAS**, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 248.00 Block 01.00 Lot 031.000 and acquired by Tax Deed on February 24, 2016 from John M. Kennedy, the Comptroller of Suffolk County, New York, and recorded on March 3, 2016 in Liber 12854 at CP 964 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Town of Huntington under Suffolk County Tax Map No. District 0400 Section 248.00 Block 01.00 Lot 031.000.

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Art League of Long Island, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,600. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described being in size approximately 200' x 57' x 201' has been appraised at \$4,600, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, the Director of Real Estate, and/or his designee, has received and deposited the sum of \$4,600, pursuant to said purchase offer; and

**WHEREAS**, the Suffolk County Department of Economic Development and Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(c)(26)(33) as this legislative decision involves the routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As such, this Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any habitable structure, and can be merged with grantee's adjoining parcel if applicable so as to form one

single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. This covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Director of Real Estate, and/or his designee, is hereby authorized to execute and acknowledge a, Bargain and Sale Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Art League of Long Island at 107 East Deer Park Rd, Huntington Station, New York.

DATED: May 20, 2020

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: May 27, 2020