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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

July 27, 2015

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

**RE: Transfer of Surplus County Owned Land Locked Parcel
SBL# 73.00-5-32 Rear of Nice Road, Newstead NY**

Dear Honorable Members:

Please find attached a resolution and accompanying memorandum authorizing the transfer of a surplus County owned land-locked parcel in Newstead to the adjoining property owners.

Should your Honorable Body require further information, I encourage you to contact Joseph L. Maciejewski, CCD from the Department of Real Property Tax Services. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

cc: Joseph Maciejewski, Department of Real Property Tax Services

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Real Property Tax Services
Re: Transfer of Surplus County Owned Land Locked Parcel
SBL# 73.00-5-32 Rear of Nice Road, Newstead NY
Date: July 27, 2015

SUMMARY

Real Property Tax Services and the Town of Newstead Assessor found that an abandoned railroad right-of-way bisected several properties creating land locked parcels. The neighboring property owner has requested that the County of Erie sell her the parcel.

FISCAL IMPLICATIONS

Positive as the county will receive \$300.00 and will have reduced exposure to risk, liability and maintenance.

REASONS FOR RECOMMENDATION

The properties have been deemed surplus by the County Advisory Review Committee, which further recommended the sale to adjoining property owners. Furthermore the sale reduces the county's risk and liability on the property and returns them to the tax roll.

BACKGROUND INFORMATION

Erie County obtained the abandoned railroad right-of-way in 1949 through In Rem foreclosure action #94. It is the recommendation of the Director of Real Property Tax Services and the Erie County Lands Advisory Review Committee that these surplus properties be sold without public auction to the above mentioned property owners.

CONSEQUENCES OF NEGATIVE ACTION

The County would retain ownership with exposure to risk and liability and the property would not be returned to the tax roll and county would not be paid \$300.00.

STEPS FOLLOWING APPROVAL

The County Executive will execute a quit claim deed where in which said properties will be turned over to the adjoining property owner.

A RESOLUTION SUBMITTED BY:
REAL PROPERTY TAX SERVICES

RE: Transfer of Surplus County Owned Land Locked Parcel
 SBL# 73.00-5-32 Rear of Nice Road, Newstead NY

WHEREAS, the Director of Real Property Tax Services has recommended the transfer of surplus county owned landlocked parcel described as SBL# 73.00-5-32; and

WHEREAS, the landlocked parcel has been owned by the County since 1949 and measures 66 feet on the east line, 577 feet on the south line, 220 feet on the west line, and 374 feet on the north line. The east line being the east line of Farm lot 2, section 7, township 12, and range 5 in the town of Newstead. The west line being the southerly line of the New York State Thruway. Being approximately .71 of an acre; and

WHEREAS, the parcels were reviewed and deemed surplus by the County Advisory Review Committee.

NOW, THEREFORE BE IT

RESOLVED that SBL# 73.00-5-32 in the Town of Newstead, be sold to Steven and Grace Richardson, (Life Estate to Philip and Arlene Richardson) for Three Hundred Dollars (\$300.00); and be it further;

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying any and all interest of the County of Erie in the above described property to the aforesaid purchasers; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the County Comptroller, the County Attorney, Department of Environment and Planning, and the Department of Real Property Tax Services.