

RESOLUTION NO. 2015253

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION
FROM VERONICA M. STECKLER, IN CONNECTION WITH THE
PROJECT KNOWN AS BRIDGE M-7 REPLACEMENT OVER THE
ROELIFF-JANSEN KILL, IN THE TOWN OF MILAN

Legislators HUTCHINGS, PULVER, SAGLIANO, and WEISS offer the following
and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of
Bridge M-7, County Route 51, in the Town of Milan, which project includes the acquisition in Fee of
a 161+/- square foot parcel as shown on Map 3, Parcel 6, to facilitate the construction, reconstruction
and continued maintenance of Bridge M-7 on County Route 51 (Academy Hill Road) over the
Roeliff-Jansen Kill in the Town of Milan; and

WHEREAS, the Department of Public Works has determined that the improvement
project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law
and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the
environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt
and confirm the findings of the Department of Public Works, and

WHEREAS, the Department of Public Works has made a determination that in order
to maintain said bridge, it is necessary to acquire a portion of real property which is located at 11 Old
Jackson Corners Road in the Town of Milan, as shown on Map 3, Parcel 6, and described as Parcel
Identification Number 133600-6573-00-996452-0000, presently owned by Veronica M. Steckler, and

WHEREAS, the purchase price to acquire in Fee the 161+/- square foot parcel as
shown on Map 3, Parcel 6, is \$200.00, to Veronica M. Steckler, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County
and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject
property, be purchased for the sum of \$200.00, plus an authorization to spend up to an additional
\$1,000.00 in related expenses; NOW, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of
the Dutchess County Department of Public Works that the project, including the acquisition of the
property described in the aforesaid Agreement in the Town of Milan, will not have a significant
effect on the environment, and be it further

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that the County shall pay the necessary associated fees for such conveyance and record the said deed.

CA-167-15
CAB/sjm/R-0952-D
10/07/15
Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 9th day of November 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of November 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 1,200.

Total Current Year Revenue \$ _____
and Source

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ 1,000

Nature/Reason:

Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: _____

Net County Cost (this year): \$1,200
Over Five Years: _____

Additional Comments/Explanation:

Project: Bridge M-7, County Route 51 (Academy Hill Road), Bridge Replacement Over the Roeliff-Jansen Kill, Town of Milan, Dutchess County, New York

This fiscal Impact statement pertains to the accompanying resolution request for authorization to acquire in Fee, a 161+/- square foot parcel as shown on (Map 3, Parcel 6) with the purchase price of \$100.00 along with the Land Improvement compensation amount of \$100.00 from Veronica M. Steckler

Related expenses in the amount of \$1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Dutchess Co. Bridge M-7 Academy Hill Rd - CR 51 Bridge Replacement over the Roeliff Jansen Kill
PIN: n/a Map No.: 03 Parcels: 6 & 7

This Agreement by and between VERONICA M. STECKLER hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS hereinafter referred to as "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

- all right title and interest to 369± square feet (161± square feet under water) of real property
- a permanent easement to ± square feet of real property
- a temporary easement to 617± square feet (245± square feet under water) of real property

Located at 11 Old Jackson Corners Road, Town of Milan, Dutchess County, New York, further described as:

Being a portion of those same lands described in that certain deed dated November 14, 2014, and recorded November 18, 2004 in Instrument # 2014-7147 in the Office of the County Clerk for Dutchess County, New York (re: Tax Map No. 6573-00-996452), and being the same lands designated as parcels 6 & 7 on Exhibit "A", attached hereto.

- 2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: trees and brush.
- 3. PURCHASE PRICE. The total purchase price is THREE HUNDRED AND 00/100 DOLLARS (\$300.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any, and the items described in paragraph 13, if any.
- 4. PAYMENT. All by check at closing.
- 5. CLOSING DATE AND PLACE. Transfer of Title shall take place at the Dutchess County Clerk's Office, or at another mutually acceptable location, on or about 90 days from the date of the fully approved agreement.
- 6. BUYER'S POSSESSION OF THE PROPERTY. For fee simple acquisitions and permanent easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the municipality prior to payment pursuant to paragraph 5 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent. All temporary easements shall commence within nine months of the temporary easement execution date. The term of the temporary easement(s) shall be for 2 years.
- 7. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:
 - A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above.

- B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. Seller agrees to cooperate with Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing.
9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of closing: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.
13. ADDENDA. The following Addenda are incorporated into this agreement:
 Cost to Cure Other _____

IN WITNESS WHEREOF, on this _____ day of _____, 2015, the parties have entered into this Agreement.

Witness: _____

Veronica M. Steckler

 Veronica M. Steckler
 Date: 8/1, 2015

COUNTY OF DUTCHESS

Witness: _____

By: _____
 Print Name:
 Title:

COUNTY ROAD 51 - ACADEMY HILL ROAD
BRIDGE REPLACEMENT
OVER THE ROELIFF JANSEN KILL

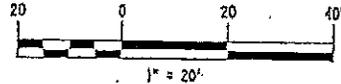
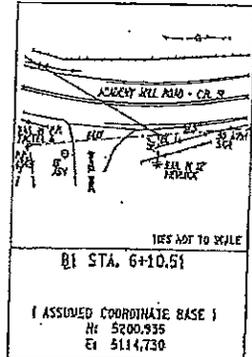
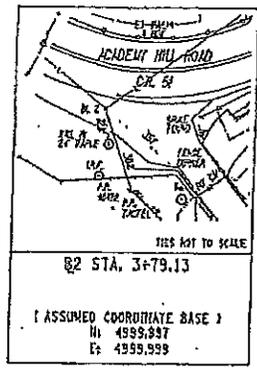
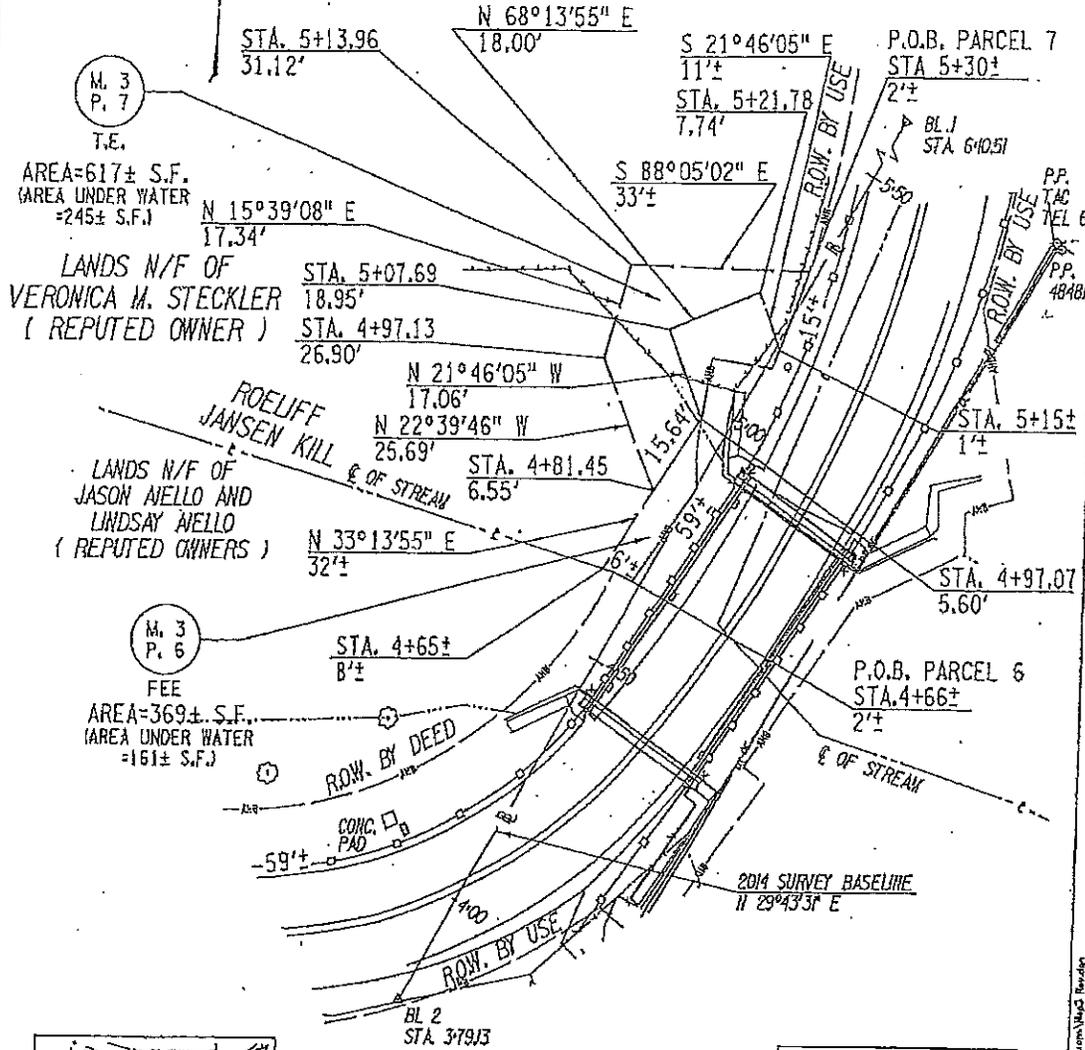
DUTCHESS COUNTY
ACQUISITION MAP

MAP NO. 3
PARCEL NOS. 6 & 7
SHEET 1 OF 2 SHEETS

Parcel Locator Points:
Parcel No. 6
N: 5075.8825
E: 5041.5968
Parcel No. 7
N: 5131.4012
E: 5073.2350

LANDS N/F OF
VERONICA M. STECKLER
(REPUTED OWNER)
CC: DOC. NO. 02-2014-7147

PARCEL SUMMARY:
Type: FEE & TEMPORARY EASEMENT
Portion of 2013 Tax Map
Ref. No. 133600-6573-00-996452
Town of Milan
County of Dutchess
State of New York



FILE NAME: W:\2014\ACQUISITION\02-2014-7147\ACADEMY HILL RD BRIDGE REPLACEMENT\MAP3.DWG