

Public Works & Capital Projects

RESOLUTION NO.2018040

RE: AUTHORIZING CONDEMNATION PROCEEDING FOR
ACQUISITION OF REAL PROPERTY OWNED BY
JOHN WOLF AND ELIZABETH WOLF FOR THE REALIGNMENT
OF CR 72 (NORTH AVENUE) AT HURLEY ROAD PROJECT
IN THE TOWN OF PLEASANT VALLEY

Legislators METZGER and PULVER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement and realignment of County Route 72, (North Avenue) at the intersection with Hurley Road in the Town of Pleasant Valley, which project includes the acquisition of various properties, and

WHEREAS, the Department of Public Works has determined that the realignment of the roadway known as CR 72 (North Avenue) is necessary to improve a traffic safety condition along said roadway in the Town of Pleasant Valley, and to insure the continued service of the roadway as a link in the greater mobility and transportation system of the area, and

WHEREAS, this Legislature by Resolution No. 2017016, accepted and confirmed the determination and findings made by the Department of Public Works relating to the realignment of CR 72 (North Avenue) at Hurley Road Project in the Town of Pleasant Valley, and

WHEREAS, this Legislature by Resolution No. 2017017, adopted the Department of Public Works' Short Form Environmental Assessment Form and Finding of a Negative Declaration in connection with this project, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement and realignment referenced above, it is necessary to acquire certain real property owned by John Wolf and Elizabeth Wolf, described as a 78,407.39+/- square foot parcel, Map No. 2, Parcel No. 2 (fee acquisition); a 2,186.97+/- square foot parcel, Map 3, Parcel No. 3 (fee acquisition); and a 6,510.33 +/- square foot parcel, Map No. 3, Parcel No. 4 (permanent easement), all three of which pertain to a portion of Tax Grid Nos. 134400-6464-01-347810-0000 and 134400-01-277890-0000, and

WHEREAS, negotiations with the property owners to acquire these properties have reached an impasse and authorization is requested to begin Eminent Domain Proceedings to acquire a portion of property owned by John Wolf and Elizabeth Wolf, and

WHEREAS, it is now necessary for this Legislature to authorize the commencement of proceedings pursuant to the Eminent Domain Procedure Law for the acquisition of said property as follows:

<u>Name</u>	<u>Map</u> No.	<u>Parcel</u> No.	<u>Acres</u>	<u>Proffered</u> <u>Amount</u>
John Wolf and Elizabeth Wolf	2	2 (fee)	78,407.39±	\$12,000
John Wolf and Elizabeth Wolf	3	3 (fee)	2,186.97±	\$ 700
John Wolf and Elizabeth Wolf	3	4 (easement)	6,510.33±	\$ 1,800

now therefore, be it

RESOLVED, that the Commissioner of Public Works on behalf of Dutchess County be and is hereby authorized and empowered to commence proceedings against John Wolf and Elizabeth Wolf pursuant to the Eminent Domain Procedure Law for the fee acquisition and permanent easement over the above property in furtherance of the realignment of CR 72 (North Avenue) at Hurley Road Project in the Town of Pleasant Valley, Dutchess County, New York.

CA-023-18
AMS/kvh/R-0966-F
1/16/18
Fiscal Impact: See attached statement

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

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 13th day of February 2018, 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 13th day of February 2018.

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 \$ 14,500

Total Current Year Revenue \$ 0
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 \$ _____

Nature/Reason: _____

Anticipated Savings to County: _____

Net County Cost (this year): \$14,500

Over Five Years: _____

Additional Comments/Explanation:

RESOLUTION REQUEST TO BEGIN CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF REAL PROPERTY OWNED BY JOHN WOLF AND ELIZABETH WOLF FOR THE REALIGNMENT OF CR 72 (NORTH AVENUE) AT HURLEY ROAD PROJECT IN THE TOWN OF PLEASANT VALLEY, DUTCHESS COUNTY, NEW YORK

Type	Map No.	Parcel No.	Square Feet	Proffered Amount
Fee Acquisition	2	2	78,407.39+/-	\$12,000.00
Fee Acquisition	3	3	2,186.97+/-	\$700.00
Permanent Easement	3	4	6,510.33+/-	\$1,800.00

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

Prepared by: Matthew W. Davis

Prepared On: 12/12/17