

ID78160

DATE: July 24, 2020

TO: Board of Acquisition and Contract

FROM: Kathleen M. O'Connor
Commissioner, Department of Parks, Recreation and Conservation

Gary A. Friedman
Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into any and all agreements necessary to convey certain County-owned real property consisting of approximately 0.75 acres located at Beech Street, White Plains New York for a purchase price of \$20,000

On July 13, 2020, the Westchester County Board of Legislators (the "Board of Legislators") adopted Act No. 126-2020 which authorized the County of Westchester (the "County") to convey certain County-owned real property located at Beech Street, in the City of White Plains (the "City") consisting of 1) approximately 0.5 acres designated as Tax Lot Section 125.44-4-17 on the Official Tax Maps for the City; and 2) approximately 0.25 acres designated as parcel numbers 28-A, 30-A, 31, 32, 33, 35, 47 and 52, Sheet No. 11 of a certain map entitled "Westchester County Park Commissioner Map of lands to be acquired for the Tarrytown-White Plains Parkway, Westchester County, N.Y." filed in the Office of the County Clerk, Division of Land Record, formerly the Office of the Register of Westchester County, New York on April 15, 1929 as Map No. 3412 (the "Property") to Icon Development Group, LLC, its successors and/or assigns (the "Purchaser"), for a purchase price of Twenty Thousand (\$20,000) Dollars.

Your Honorable Board's authority is now requested to authorize the County to enter into any and all agreements necessary to convey the Property to the Purchaser for a purchase price of \$20,000.

This Property was acquired in 1926 for the construction of a parkway. The County has no plans to utilize this Property for any County or park purpose.

Pursuant to Section 209.101(8)(b) of the Laws of Westchester County (“LWC”), before the County can convey the Property to the Purchaser, it has to offer a right of first refusal to the City, based upon certain conditions set forth in said law. In a letter dated September 27, 2019 from the Director of Real Estate, the aforementioned right of first refusal was offered to the City for the Property. Section 209.101(8)(b)(4) of the LWC provides that the City had ninety (90) days to exercise its right to purchase the Property and the ninety (90) day period expired on December 28, 2019.

In accordance with LWC Section 191.41, the Commissioner of Planning has provided a report concluding that the County no longer has any need for the Property.

In addition, in accordance with LWC Sections 134.51(6) and 249.111(1), on May 21, 2020 the Westchester County Parks, Recreation and Conservation Board adopted two resolutions (one for each parcel) recommending that the Property be deemed no longer needed for park purposes, that the Board of Legislators authorize the sale of the Property in accordance with the provisions of the County Charter and Administrative Code, and that the proceeds from the sale or conveyance of the Property be set aside in a segregated fund, dedicated solely for the use by the County for the purposes of improvements to County parks and park facilities and programs.

The goal and objective of this conveyance is for the County to obtain revenue by divesting itself of real property for which it has no use.

This conveyance is in the best interests of the residents of the County in that it will result in additional County revenue.

Therefore, based on the foregoing, your Honorable Board’s approval of the attached Resolution is respectfully requested.

KOC/GAF/LAC
Attachment

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PARKS, RECREATION AND CONSERVATION AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED, that the County of Westchester (the “County”) is hereby authorized enter into any and all agreements necessary to convey certain County-owned real property consisting of approximately 1) approximately 0.5 acres designated as Tax Lot Section 125.44-4-17 on the Official Tax Maps for the City; and 2) approximately 0.25 acres designated as parcel numbers 28-A, 30-A, 31, 32, 33, 35, 47 and 52, Sheet No. 11 of a certain map entitled “Westchester County Park Commissioner Map of lands to be acquired for the Tarrytown-White Plains Parkway, Westchester County, N.Y.” filed in the Office of the County Clerk, Division of Land Record, formerly the Office of the Register of Westchester County, New York on April 15, 1929 as Map No. 3412 (“Property”) to Icon Development Group, LLC, its successors and/or assigns, for a purchase price of Twenty Thousand (\$20,000) Dollars; and be it further

RESOLVED, that the conveyance of the Property shall be by Bargain and Sale Deed without Covenants against Grantor’s Acts and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute any agreements, documents and take any actions necessary to effectuate purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit & Bond Act	Object/ Sub Object	Trust Account	Dollars
263	42	776V	9856	T776	\$20,000

Budget Funding Year(s) Purchase and Sale Contracts Start Date: 8/20/20 End Date: _____

Funding Source Tax Dollars _____

State Aid _____

\$20,000 Federal Aid _____

(must match resolution) Other revenue _____