

**38166**

DATE: January 28, 2014

TO: Board of Acquisition and Contract

FROM: Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

Mary J. Mahon  
Director of Real Estate

RE: **Authority for the County of Westchester to enter into an agreement for the sale of certain County-owned surplus property located within the Town of Mount Pleasant to Pace University for the purchase price of \$20,000 (Agreement No. 14-907).**

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Attached for your consideration is a resolution that would authorize the County's delivery of a quitclaim deed to Pace University for County property consisting of approximately 49,300 square feet located north of Route 117 and east of the Taconic State Parkway in the southern portion of the Pace University Campus in the Town of Mount Pleasant (the "Property"). The Property, designated as a part of Map 105.16, Block 1 on the Tax Maps of the Town of Mount Pleasant is an abandoned portion of State Highway 520. In the early 1990s the State acquired land, including the Property, for a project that widened and relocated Route 117 and its intersection with both Pace University's entrances and the Taconic State Parkway. When the State finished the relocation project, it determined that it no longer needed all of the land along the north side of the reconstructed Route 117. So, in 2000, the State abandoned to the County the old part of State Highway 520 that was no longer needed for the relocation project and transferred the maintenance to the County.

Section 118-a of the Highway Law provides, in part, that whenever the maintenance of any section of a highway by the state is discontinued and the maintenance thereof transferred to a county and such section of such road is of no further use for highway purposes, then upon a recommendation of the County Superintendent of Highways, the county may adopt a resolution to abandon to the abutting owner the portion of the road that is of no further use for highway purposes for such consideration that the county may deem proper. The Commissioner of Public Works and Transportation (the "Commissioner") has determined that the Property is of no further use for highway purposes and recommends abandoning the Property to the abutting property owner. Further, based on the Property's configuration (long, narrow strip of land running approximately 1,150 feet), and its location, the County Planning Department has determined that the Property is not needed for any for any County purpose.

Pace University, as the abutting owner, advised the County that this Property would benefit the development of the Pace University campus. An appraisal has valued the Property at \$20,000 and Pace University has agreed to acquire the Property for the appraised value.

In accordance with Section 209.101 of the County's Administrative Code, the County first offered to sell the Property to the Town of Mount Pleasant (the "Town") as the Town is the municipality within which the Property is located. The Town, by a resolution dated February 12, 2013, declined the offer to acquire the Property.

By Act 2013-201, the County Board of Legislators authorized the conveyance of the Property to Pace University for a purchase price of \$20,000.00.

The objective of the sale of the Property will serve a public purpose by providing revenue to the County while accommodating an adjoining non-profit property owner. Approval of the attached Resolution authorizing the necessary contract of sale to convey the property to the adjoining landowner is respectfully requested.

JTP/MM/dm  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/20/2014 JIMMARTYVEIRA SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of Public Works & Transportation and the Director of Real Estate, be it hereby

**RESOLVED**, that the County is hereby authorized to enter into an agreement to convey by quitclaim deed to Pace University approximately 49,300 square feet of former highway property no longer needed for county purposes located north of Route 117 and east of the Taconic State Parkway in the southern portion of the Pace University (Pleasantville) campus in the Town of Mount Pleasant and designated as a portion of Map 105.16, Block 1 on the tax maps of the Town of Mount Pleasant for a purchase price of \$20,000.00; and be it further

**RESOLVED**, that the County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

Agreement No. 14-907

Account to be Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
101	52	1000	9599		\$20,000.00

Budget Funding Year(s) (must match resolution)

2014

Start Date: N/A

End Date: N/A

Funding Source:

Tax Dollars \_\_\_\_\_

Contractor Federal I.D. No./  
Social Security No.: \_\_\_\_\_

State Aid \_\_\_\_\_

\$20,000  
(must match resolution)

Federal Aid \_\_\_\_\_

Vendor No.: \_\_\_\_\_

Other \$20,000— Revenue

Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/20/2014 - SOMARY VIEIRA, SECRETARY