

**ID76239**

**DATE:** April 27, 2020

**TO:** Board of Acquisition and Contract

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

**SUBJECT:** Resolution authorizing the County of Westchester to enter into any and all agreements necessary to convey certain County-owned property consisting of approximately 38,496 square feet located at 1454 North Avenue, City of New Rochelle, New York for a purchase price of \$365,000.00

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On March 23, 2020, the Westchester County Board of Legislators (the "Board of Legislators") adopted Act No. 39-2020 which authorized the County of Westchester (the "County") to convey certain County-owned property consisting of approximately 38,496 square feet located at 1454 North Avenue, City of New Rochelle, New York, currently designated as Block 1920, Lot 0050 on the Official Tax Maps of the City of New Rochelle and also known as Lot No. 3 as shown on the "Map of Hutchinson River Parkway, Showing Land To Be Acquired by the Westchester County Park Commission Authorized December 23, 1926", Sheet No. 8A, and filed in the Office of the County Clerk, Division of Land Records, formerly the Office of the Register of Westchester County, New York on April 29, 1927 as Map No. 2713, (the "Property") to The Ursuline School of New Rochelle (the "Purchaser") for a purchase price of \$365,000.00.

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 \$365,000.00.

This Property is part of a larger parcel that was originally acquired in 1927 for the construction of the Hutchinson River Parkway (the "Parkway"). A portion of this larger parcel was used to construct the exit and entrance ramps at Exit 17 on the Parkway which in 1965 was transferred by the County to the People of the State of New York along with the other parcels that comprise the Parkway. The subject Property is the remaining portion of the larger parcel that was never used for construction of the Parkway and never used as a park. The Property is currently

improved by a one family home which previously was the residence of a County Parks, Recreation and Conservation Department employee pursuant to a license agreement which has been terminated. This County employee currently resides at another County location. The County has no plans to utilize this Property for any future County or park purpose. The Property was recently appraised at a market valuation of \$342,000.00.

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 of New Rochelle (the "City"), based upon certain conditions set forth in said law. In a letter dated September 19, 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 17, 2019. Further, the Director of Real Estate was advised by a City official that the City was not interested in purchasing the Property.

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 November 21, 2019, the Westchester County Parks, Recreation and Conservation Board adopted a resolution 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 a parcel 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

## R E S O L U T I O N

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

**RESOLVED**, that the County of Westchester (the “County”) is hereby authorized to enter into any and all agreements necessary to convey certain County-owned property consisting of approximately 38,496 square feet located at 1454 North Avenue, City of White Plains, New York (the “Property”) to The Ursuline School of New Rochelle for a purchase price of \$365,000.00; 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	\$365,000

Budget Funding Year(s) \_\_\_\_\_ Purchase and Sale Contracts Start Date: 5/21/2020 End Date: \_\_\_\_\_

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
\$365,000 Federal Aid \_\_\_\_\_  
 (must match resolution) Other Revenue \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACTS 15/14/2020 - LISAPRINCE SECRETARY