

PROPOSED ORDINANCE NO. 87 - 2013

MAKING CERTAIN DETERMINATIONS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF NASSAU TO ACCEPT, ON BEHALF OF THE COUNTY OF NASSAU, AN OFFER OF PURCHASE FROM APPLE FARM REALTY LLC OF CERTAIN PREMISES LOCATED IN FRANKLIN SQUARE, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 35, BLOCK B, LOT 1152 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED, CONTRACT OF SALE AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMATE THE SALE.

WHEREAS, the County of Nassau did heretofore acquire title to the premises;

WHEREAS, Apple Farm Realty LLC has requested that the County of Nassau convey to him the aforesaid parcel and has made an offer to purchase same in the amount of Three Million Two Hundred Forty-Nine Thousand and 00/100 Dollars (\$3,249,000.00), all pursuant to and more particularly described in that certain Contract of Sale (the "Contract") by and between the County of Nassau and Apple Farm Realty LLC, a copy of which is on file in the office of the Clerk of the Nassau County Legislature;

WHEREAS, the Nassau County Legislature has been advised that the aforesaid premises are no longer required by the County of Nassau for public purposes, subject to the terms and conditions of the Contract;

WHEREAS, in accordance with Section 1611 of the Nassau County Charter and acting in an advisory capacity to the Nassau County Legislature, the Nassau County Planning Commission has reviewed the proposed action, namely the disposition

of the subject property, and determined that it is an “Unlisted Action” pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and has further reviewed the Environmental Assessment Form (“EAF”) for the proposed action and recommends that the Legislature upon its review of the (“EAF”) and any supporting documentation, if any, determine that the evidence before it indicates that the proposed action will have no significant environmental impact and does not require further environmental review; and

WHEREAS, the Nassau County Planning Commission, acting in an advisory capacity to the Nassau County Legislature, passed a resolution regarding the proposed action, a copy of such resolution being attached hereto as Appendix A and incorporated herein, recommending that the Legislature conclude that no further environmental review or action is required on such proposed action.

BE IT ORDAINED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive is hereby authorized to accept the offer of purchase of Apple Farm Realty LLC in the sum of Three Million Two Hundred Forty-Nine Thousand and 00/100 Dollars (\$3,249,000.00), for said premises being more particularly described as follows:

All that certain plot, piece or parcel of land situate, lying and being in Franklin Square, Town of Hempstead, County of Nassau, State of New York, known and designated as Section 35, Block B, Lot 1152 on the Land and Tax Map of the County of Nassau.

subject to all of the terms and conditions as outlined in the Contract.

2. That the County Executive be and he hereby is authorized to execute for, and on behalf of the County of Nassau, the deed from the County of Nassau, as Grantor, to Apple Farm Realty LLC, as Grantee, upon compliance with the terms and conditions of this sale, and to execute any and all other instruments, including the

Contract and the Easement, and to take such other action as is necessary, to effectuate the terms of such offer and carry out the purposes of the Contract.

3. That it is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed sale of the subject property has been determined not to have a significant effect on the environment and no further review is required for the reasons set forth in the attached Determination of Non-Significance.

4. This ordinance shall take effect immediately.