

PROPOSED ORDINANCE NO. 176-2016

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 NAMDAR REALTY GROUP LLC OF CERTAIN PREMISES LOCATED IN THE INCORPORATED VILLAGE OF HEMPSTEAD, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, SAID PROPERTY KNOWN AS SECTION 34, BLOCK 333-03, LOT 2 ON THE LAND AND TAX MAP OF THE COUNTY OF NASSAU, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED, CONTRACT OF SALE, INTER-MUNICIPAL AGREEMENT FOR MORTGAGE AND TAX PAYOFF AND ALL PERTINENT DOCUMENTS IN CONNECTION THEREWITH TO CONSUMATE THE SALE AND VACATING AND CANCELLING ALL COUNTY-HELD TAX LIENS AND ANY AND ALL TAX OBLIGATIONS NOT YET RIPE FOR LIEN STATUS RELATED TO SUCH PROPERTY.

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

WHEREAS, the Nassau County Legislature has been advised that the premises are no longer required by the County of Nassau for public purposes; and

WHEREAS, Namdar Realty Group LLC, has requested that the County of Nassau convey to it the aforesaid parcel and has made an offer of Four Million and 00/100 Dollars (\$4,000,000.00), pursuant to a certain Contract of Sale, a copy of which is on file in the office of the Clerk of the Nassau County Legislature; and

WHEREAS, in order to facilitate the sale of the premises, the Incorporated Village of Hempstead and the Village of Hempstead Community Development Agency have executed the Inter-Municipal Agreement For Mortgage and Tax Payoff (the “IMA”) whereby the proceeds of the sale will be applied first to the interest, principal, defeasance costs and other fees payable under the HUD Section 108 loan, and then for payment of County Costs (as defined in the IMA) and then, if any sale proceeds remain, 57% to the County of Nassau and 43% to the Incorporated Village of Hempstead to pay off real estate taxes due and owing. Pursuant to Local Law, the County share of the remaining proceeds, if any, shall be divided as follows: 95% to the General Fund and 5% to the Open Space Fund; and

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 and found 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 Nassau County 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 Nassau County Legislature conclude that no further environmental review or action is required on such proposed action.

THEREFORE, BE IT ORDANED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

1. That the County Executive be and he is hereby authorized to accept the offer of purchase of Namdar Realty Group LLC in the sum of Four Million and 00/100 Dollars (\$4,000,000.00) for said premises described as Section 34, Block 333-03, Lot 2 on the Land and Tax Map of the County of Nassau subject to all of the terms and conditions as outlined in the contract of sale.

2. That the County Executive be and he is hereby authorized to execute for, and on behalf of the County of Nassau, the deed from the County of Nassau, as Grantor, to Namdar Realty Group LLC, as Grantee, and to execute any ancillary documents and instruments necessary to effectuate the terms of the contract of sale including the Inter-Municipal Agreement For Mortgage and Tax Payoff with the Incorporated Village of Hempstead and the Village of Hempstead Community Development Agency.

3. That it is hereby determined pursuant to the provisions of the New York 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 property has been determined not to have a significant effect on the environment and that no further review is required for the reasons set forth in the attached Determination of Non-Significance;

4. That upon the transfer of title to the premises all County-held tax liens related to the premises be vacated and any and all County tax obligations not yet ripe for lien status be cancelled.

5. This Ordinance shall take effect immediately.

