

10/1/02

Town of Riverhead Community Development Agency

Resolution # 15

Authorizes Chairman to Execute a Deed for Sale of Property to the Riverhead Water District

Member Densieski offered the following resolution,

which was seconded by Member Lull:

WHEREAS, the Riverhead Water District desires to purchase a 4.02 acre portion of Suffolk County Map # 0600-135-1-7.6;

WHEREAS, said real property is owned by the Town of Riverhead Community Development Agency, and is more specifically described on the attached Exhibit A.; and

WHEREAS, the Town of Riverhead Community Development Agency will receive \$160,800 for the sale of said property.

THEREFORE, BE IT RESOLVED, that the Community Development Agency Board authorizes the Chairman to execute a deed for transfer of said property to the Town of Riverhead Water District.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss, Dick Ehlers, Esq., Riverhead Water District, and the Accounting Office.

The Vote:

| | |
|----------------------|------------|
| Member Sanders | <u>YES</u> |
| Member Blass | <u>YES</u> |
| Member Densieski | <u>YES</u> |
| Member Lull | <u>YES</u> |
| Chairman Kozakiewicz | <u>YES</u> |

The Resolution is ADOPTED.

Exhibit A

NY005 - Bargain and Sale Deed with Covenant against Grantor's Acts Individual or Corporation (Single Sheet) (NYBTU 8002)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the _____ day of September, in the year 2002
BETWEEN

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY, with offices at
200 Howell Avenue, Riverhead, NY 11901

party of the first part, and

TOWN OF RIVERHEAD WATER DISTRICT, a municipal corporation with
offices at 200 Howell Avenue, Riverhead, NY 11901

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Riverhead, County of Suffolk and State of New York, more particularly described as follows:

Part of
Tax Map
Designation
Dist. 0600
Sec. 135
Blk. 1
Lot(s) 7.6

Beginning at a point on the southerly side of State Route 25 (Middle Country Road), Said point being a distant 4,678.66 feet easterly along the southerly line of State Route 25 (Middle Country Road), from the intersection formed by the easterly line of Wading River Manorville Road with the southerly line of State Route 25 (Middle Country Road) ~~running thence from said Point of Beginning;~~

Easterly along the southerly side of State Route 25 North 63°26'24" East, a distance of 37.78 feet to the beginning of a curve tangent to said line; thence still along State Route 25 northeasterly and easterly a distance of 276.39 feet along the curve concave to the southeast, having a radius of 2252.01 feet and a central angle of 7°01'55"; thence North 70°28'19" East tangent to said curve, a distance of 169.80 feet to the lands of The Riverhead Community Development Agency thence through the lands of The Riverhead Community Development Agency the following three courses and distances;

1. South 06°32'47" East, a distance of 434.49 feet;
2. South 83°27'13" West, a distance of 465.80 feet;
3. North 06°32'47" West, a distance of 304.98 feet; to the southerly line of State Route 25 or the Point or Place of Beginning. Containing 4.02 ACRES, more or less.

BEING AND INTENDED TO BE part of premises conveyed to the party of the first part by deed from the United States of America dated September 10, 1998 and recorded on September 11, 1998, in the Suffolk County Clerk's Office in Liber 11916, page 498 TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
By: Robert F. Kozakiewicz, Supervisor