

RESOLUTION NO. 187

RESCINDING THE CONVEYANCE OF REAL PROPERTY PURSUANT TO RESOLUTION NO. 69 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 5 SCHUYLER HILLS ROAD (TAX MAP NO. 43.4-4-3) IN THE TOWN OF COLONIE

Introduced: 5/11/20

By Audit and Finance Committee:

WHEREAS, By Resolution No. 69 for 2020, this Honorable Body authorized the conveyance of various parcels of real property acquired through in rem foreclosure to the Albany County Land Bank Corporation (the "Land Bank"), including 5 Schuyler Hills Road (Tax Map No. 43.4-4-3) in the Town of Colonie, and

WHEREAS, Alan and Mary Heitzman, the immediate former owners of the property, have expressed an interest in acquiring the parcel and have committed to paying the full amount of taxes, interest and penalties due for the property, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to immediate former owners, including that any and all liens extinguished as a result of the foreclosure shall be reinstated, now, therefore be it

RESOLVED, By the Albany County Legislature, that Resolution No. 399 for 2019 is hereby amended by rescinding the authorization to convey 5 Schuyler Hills Road (Tax Map No. 43.4-4-3) in the Town of Colonie, and be it further

RESOLVED, That the County Executive is authorized to execute on behalf of the County any documents necessary to convey 5 Schuyler Hills Road (Tax Map No. 43.4-4-3) in the Town of Colonie to Alan and Mary Heitzman for the amount of all delinquent real property taxes owing to the County on said property as of the date it was foreclosed upon "in rem" by the County with interest on said amount at the rate of 12% per annum computed to the date upon which the conveyance back of said property is made by the County, and be it further

RESOLVED, That the aforementioned amount due shall also include the amount of any and all out-of-pocket costs and expenses incurred by the County in connection with said property following the date of its foreclosure "in rem" by the County including, but not limited to, real property and school taxes, special assessments, municipal fees and charges, and maintenance and repairs, and be it further,

RESOLVED, That any and all liens upon the property which were previously extinguished as a result of the foreclosure action shall be deemed reinstated and

restored pursuant to the Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, and be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 5/11/20