

# **CURTIS**

## **Baseline Documentation**



### **Suffolk County Tax Map**

**300-133-2-11.1      84 Swamp Road**

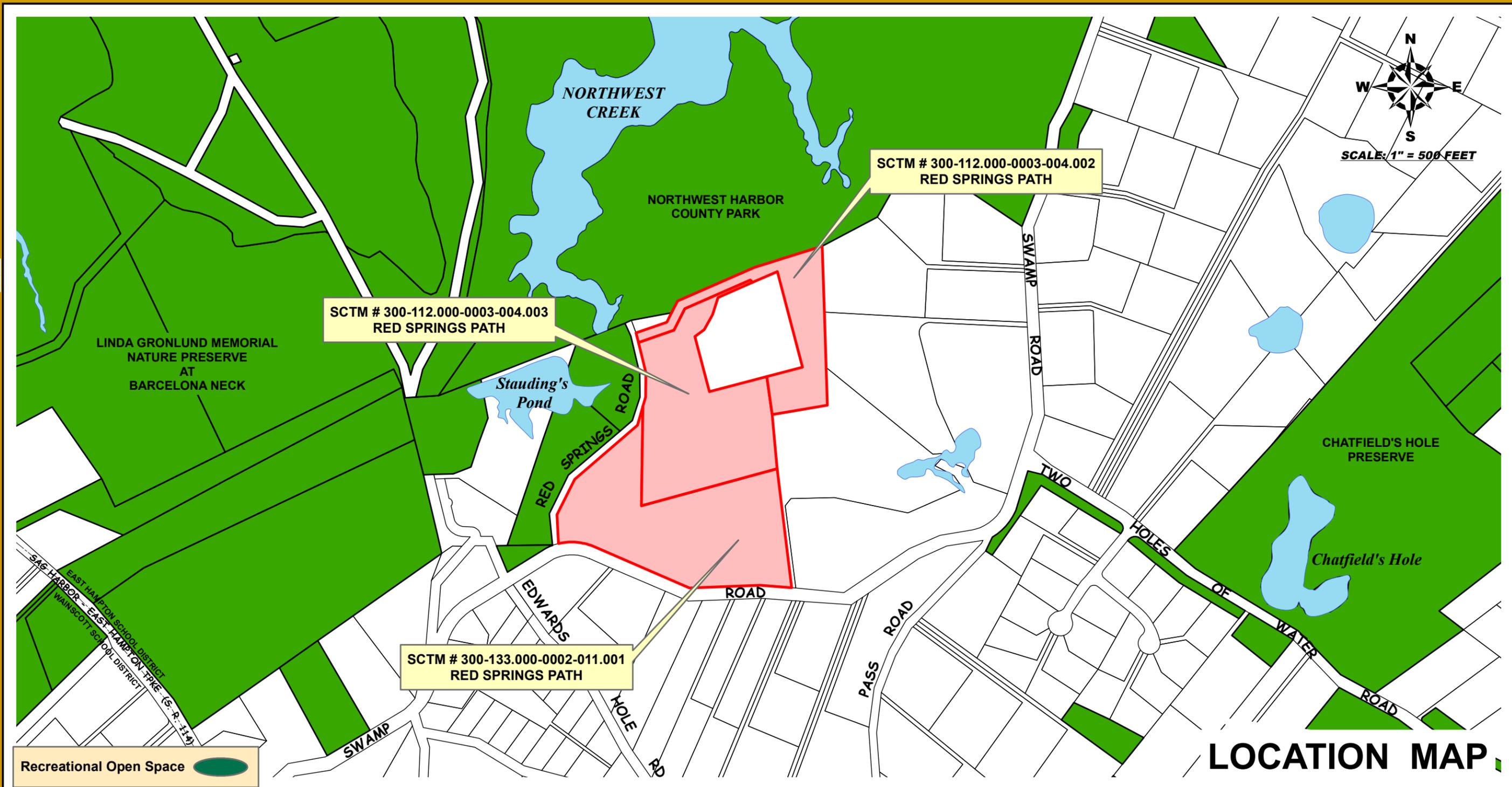
**300-112-3-4.2 & 4.3   Red Spring Path**

**Area 27.87 Acres**

**Town of East Hampton, New York**

**Purchased in partnership by the County of Suffolk  
and the Town of East Hampton**

**The Community Preservation Fund Law was enacted to help protect and preserve open and undeveloped lands in the Town of East Hampton and the Incorporated Villages, including wetlands, woodlands, agricultural lands, shorelands and the other natural resources of the town; for the purposes of protecting historic places and properties within the town; and for the purpose of providing the town's visitors and residents with outdoor recreational opportunities.**



# LOCATION MAP

Suffolk County Real Property Tax Service  
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 Real Property Taxmap parcel linework used with permission of  
 Suffolk County Real Property Tax Service Agency (R.P.T.S.A.)



Prepared by  
**THE TOWN OF EAST HAMPTON**  
 Suffolk County, New York

**TOWN OF EAST HAMPTON CPF  
 and  
 COUNTY OF SUFFOLK PROPERTY**

**TOWN OF EAST HAMPTON  
 Curtis Property  
 East Hampton School District**







**East Hampton Town Board**

159 Pantigo Road  
East Hampton, NY 11937

**Fred Overton**

Town Clerk  
(631) 324-4142

[www.town.east-hampton.ny.us](http://www.town.east-hampton.ny.us)

ADOPTED

Meeting: 12/15/09 10:00 AM

**RESOLUTION 2009-1265**

DOC ID: 7967 B

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## **Curtis Authorize Acquisition**

### **AUTHORIZE ACQUISITION**

**Property of: Sarah T Curtis & Mark Curtis, & the Estate of Helena Curtis**

**Address: 10 Red Springs Path & 84 Swamp Road**

**SCTM #s: 300-112-3-4 & 300-133-2-11.1 respectively**

**WHEREAS**, pursuant to § 247 of the General Municipal Law of the State of New York, the Town Board held a public hearing on **December 4, 2009** to consider the acquisition of approximately **27.87 acres** of land located at **10 Red Springs Path & 84 Swamp Road, East Hampton**, which land is identified on the Suffolk County Tax Map as **SCTM # p/o 300-112-3-4 & 300-133-2-11.1**; and

**WHEREAS**, this transaction will be subject to the approved subdivision of 10 Red Springs Path, SCTM# 300-112-3-4, by the East Hampton Town Planning Board; and

**WHEREAS**, the sellers are proposing to subdivide off +- 5 acres from this +- 20 acre lot so that they may retain the existing dwelling; and

**WHEREAS**, subject to said subdivision, the Town will be participating in a 50/50 partnership with the County of Suffolk on the balance of this property, +- 15 acres, and the whole of SCTM lot # 300-133-2-11.1, for a total of approximately 27.87 acres; and

**WHEREAS**, the proposed purchase price is **\$2,475,000.00**, 50% of which will be attributable to the Town, **\$1,237,500** plus 50% of survey, title, prorated tax, and recording charges; and

**WHEREAS**, the purpose of said acquisition is preservation of community character and open space; and

**WHEREAS**, the acquisition of the subject property is classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Town Board finds, pursuant to § 64-e (8) of the New York Town Law, that acquisition of the subject property by purchase is the best alternative, of all reasonable alternatives available to the Town, for protection of the community character of the Town of East Hampton, and that such acquisition would be in the best interests of the Town;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized and directed to enter into a contract of sale with the record owner of the subject property, reputedly **Sarah T Curtis & Mark Curtis, & the Estate of Helena Curtis**, for the purpose of acquiring said property at a cost to the Town of East Hampton not to exceed **\$1,237,500.00**, plus 50% of

reasonable survey, title, prorated tax, and recording charges; and be it further

**RESOLVED**, that pursuant to contract the Supervisor is authorized and directed to execute any documents and the Town Comptroller is directed to pay the purchase price and any and all reasonable survey, title, prorated tax, and recording charges, as may be necessary to effect the transfer of title; and be it further

**RESOLVED**, that pursuant to § 64-e of the New York Town Law, the acquisition of subject property also includes the acquisition of development rights, which rights may be transferred at a future date subject to Suffolk County approval/participation; and be it further

**RESOLVED**, the monies to be expended for purchase of the foregoing property shall be drawn from the Town of East Hampton **Community Preservation Fund** Budget Account.

**FISCAL IMPACT:**

\$1,237,500 plus closing costs from CPF

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Pete Hammerle, Councilman
<b>SECONDER:</b>	Julia Prince, Councilwoman
<b>AYES:</b>	Julia Prince, Pete Hammerle, Pat Mansir, Brad Loewen

Intro. Res. No. 1472-2010 Laid on Table 4/27/2010  
Introduced by Presiding Officer, on request of the County Executive and Legislator  
Schneiderman

**RESOLUTION NO. 407 -2010 AUTHORIZING THE  
ACQUISITION OF LAND UNDER THE NEW SUFFOLK  
COUNTY DRINKING WATER PROTECTION PROGRAM  
(EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE  
COMPONENT - FOR THE CURTIS PROPERTY – NORTHWEST  
HARBOR HEADWATERS - TOWN OF EAST HAMPTON (SCTM  
NOs. 0300-112.00-03.00-004.000 p/o and 0300-133.00-02.00-  
011.001)**

**WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection," Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Town of East Hampton ("Town") has approved Resolution No. 2009-1265 on December 15, 2009, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of Real Property Acquisition and Management to negotiate the acquisition; and

**WHEREAS**, based upon the Environmental Trust Review Board approved value, an offer to acquire the subject property was made to and accepted by the owner of said property; and

**WHEREAS**, contracts to acquire said property were prepared by the Office of the County Attorney, executed by the owner of the subject property, the Town, and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; and

**WHEREAS**, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and 2

**WHEREAS**, the following property(s), as described in the 1<sup>st</sup> Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it **1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Two Million Four Hundred Seventy Five Thousand Dollars (\$2,475,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), for a fifty percent (50%) undivided interest; and the Town's share, totaling One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), for a fifty percent (50%) undivided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

**SUFFOLK COUNTY REPUTED OWNER**

**PARCEL: TAX MAP NUMBER: ACRES: AND ADDRESS:**

No. 1 District 0300 27.87+ Sara T. Curtis

Section 112.00 40 Barrow Street

Block 03.00 New York, NY 10014

Lot 004.000 p/o and

No. 2 District 0300 Mark Curtis

Section 133.00 3446 Riviera Drive

Block 02.00 Key West, FL 33040-4611

Lot 011.001

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for One Million Two Hundred Thirty Seven Thousand Five Hundred Dollars (\$1,237,500.00), subject to a final survey, said amount representing the County's share of the total purchase price; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,237,500.00, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, Section C12- 2(A)(1) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning an undivided 50% interest; and be it further

**5<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**6<sup>th</sup> RESOLVED**, that pursuant to Section C12-2(A)(2)(c) this property is not to be developed and Three (3) Workforce Housing Development Rights, representing the County's fifty percent (50%) interest in the total number of development rights allocated to the property, shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

**7<sup>th</sup> RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

a.) freshwater/tidal wetlands and buffer lands for same;

d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and be it further

**8<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

**9<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and be it further

**10<sup>th</sup> RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperation agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

**11<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: May 11, 2010

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: May 26, 2010

