

RESOLUTION CONVEYING A PORTION OF BROOK STREET

WHEREAS, an application has been made by James Titolo (the "Applicant"), to the Village of Highland Falls Village Board of Trustees and to the Interim Superintendent of Highways of the Village of Highland Falls to purchase a certain portion of Brook Street from the intersection of Mountain Avenue to where Brook Street intersects with Highland Brook; and

WHEREAS, because the bridge over Highland Brook is no longer in existence, Brook Street no longer connects Mountain Avenue to Mearns Avenue and has not been used by the public for a period in excess of six (6) years; and

WHEREAS, Brook Street no longer serves as a thoroughfare and is no longer utilized by the public and Mr. Titolo owns property that abuts each side of Brook Street; and

WHEREAS, by letter dated April 8, 2020, the Interim Highway Superintendent of Highways has certified that the Village does not maintain or perform repairs to the subject road, nor is Brook Street listed on the inventory of streets for the Village of Highland Falls and, therefore, consents to abandonment; and

WHEREAS, the proposed abandonment was duly referred to the Consolidated Planning Board, which Board responded by letter dated July 27, 2020 that it had no objection to the conveyance; and

WHEREAS, a duly noticed public hearing was convened on August 3, 2020, and after hearing from all those who wished to speak on the subject, the Board of Trustees closed the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Highland Falls Board of Trustees hereby declare that portion of Brook Street from the intersection of Mountain Avenue to

the southwest corner of property identified as SBL 102-4-1 to the southeast corner of the property identified as SBL 102-4-4 abandoned pursuant to authority granted to the Board of Trustees by Village Law Section 6-612.

BE IT FURTHER RESOLVED, that pursuant to the authority vested in the Board of Trustees hereby by Village Law Section 4-412, the Board of Trustees agrees to sell that portion of Brook Street identified herein to James Titolo for a sum of \$10.00.

BE IT FURTHER RESOLVED, that the sale of the aforementioned property is conditioned on Mr. Titolo (1) causing a survey of the property to be conveyed to be prepared by a licensed surveyor, which survey shall be reviewed by the Village engineer for accuracy; (2) causing a quit claim deed to be prepared by a real estate attorney, which deed shall be reviewed and approved by the Village attorney; (3) causing the preparation of a TP-584 real estate transfer form and all other required real estate forms; (4) recording said survey, deed and real estate transfer forms in the Office of the Orange County Clerk and returning said proof of filing to the Village Clerk; and (5) that the official map of the streets of the Village of Highland Falls be changed to reflect the exclusion of that portion of Brook Street conveyed to Mr. Titolo.

BE IT FURTHER RESOLVED, that Mr. Titolo shall reimburse the Village for all costs related to this action, specifically the cost of review by the Village engineer and Village attorney as related to this action and the cost of modification of the official map, if any, and Mr. Titolo shall deposit a sum of \$3000.00 with the Village Clerk to be placed in escrow for said review and modification of the official map, which unexpended escrow monies, if any, shall be returned to Mr. Titolo upon completion of modification of the official map.

On a motion by Trustee Ramus, seconded by Trustee DiSalvo, the Mayor declared the Resolution adopted on a roll call vote of 5 ayes and 0 nays.

Mayor D'Onofrio x Aye Nay

Trustee Aylward x Aye Nay

Trustee DiSalvo x Aye Nay

Trustee Livsey x Aye Nay

Trustee Ramus x Aye Nay

Dated August 3, 2020

Regina M. Taylor, Village Clerk of the Village of Highland Falls, does hereby certify that the foregoing Resolution of the Board of Trustees was filed in my office on the following date:

Regina M Taylor 8/5/20

Signature and Date



Mathmore
PURE COTTON