

**RESOLUTION NO. 409**

**AUTHORIZING THE CONVEYANCE OF TWO PARCELS LOCATED ON BRADT HOLLOW ROAD AND COOK HILL ROAD IN THE TOWN OF BERNE TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Introduced: 10/11/11

By Mr. Gordon:

WHEREAS, By Resolution No. 408 for 2011, this Honorable Body declared two parcels located on Cook Hill Road and Bradt Hollow Road in the Town of Berne as surplus property no longer required for County use which allows the County to sell the parcels to the adjacent property owner, the NYS Department of Environmental Conservation, and

WHEREAS, The Wild Turkey Federation has authorized the contribution of \$2,500 to the State of New York for the purchase of the two parcels, and

WHEREAS, As part of the sales agreement with the Department of Environmental Conservation, the County of Albany will retain the mining rights to the Bradt Hollow Road parcel for a period of ten (10) years which rights shall be assigned to the Town of Berne together with the right of the Town of Berne to store equipment and materials on the site for mining operations and when working on Town property for a period of ten (10) years, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute all necessary documents to convey a 3.1 acre parcel on Cook Hill Road in the Town of Berne, tax map number 112.00-2-3, and a 3.0 acre parcel on Bradt Hollow Road, tax map number 100.00-1-6 to the NYS Department of Environmental Conservation for \$2,500 in accordance with the terms as aforesaid, and, be it further

RESOLVED, That the deed conveying the Bradt Hollow Road parcel retain both mining rights and the right of the Town of Berne to store equipment and materials on site for a period of ten (10) years, and, be it further

RESOLVED, That the County Executive is authorized to execute the necessary documents to assign the rights retained to the Town of Berne, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance and agreements 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. 10/11/11*