

Proceeding 6165Misc
Conveyance of the South Mall from the
County of Albany to the State of New York State
County of Albany
GS 05-10
OGS: UPL-00766

DEED

THIS INDENTURE made the ____ day of _____, 20__ between

The COUNTY OF ALBANY, NEW YORK, a municipal corporation organized and existing pursuant to the laws of the State of New York, with offices at 112 State Street, Albany, New York, 12207 (“County”), and

The PEOPLE OF THE STATE OF NEW YORK, acting by and through the Commissioner of the New York State Office of General Services, with offices at Corning Tower, Empire State Plaza, 41st Floor, Albany, New York 12242 (“State”)

WITNESSETH

WHEREAS, the County and the State entered into an Agreement dated May 11, 1965 (“South Mall Agreement”) pursuant to Chapter 152 of the Laws of 1964 and Section 850 of the County Law which authorized the construction and financing of the South Mall Project by the County, now known as the Empire State Plaza, located in the City of Albany, New York, and

WHEREAS, the South Mall Agreement provided, among other things, that the State would convey to the County any real property the State had acquired for the South Mall Project and the County would lease said real property back to the State until December 31, 2004 or until the earlier payment of the principal of and interest on bonds and notes issued by the County to finance the South Mall Project, at which time said Lease would expire, and

WHEREAS, said Agreement further provided that upon expiration of said Lease, the County would convey back to the State, its successors and assigns, without any additional payment therefore, all of the right, title and interest in the South Mall Project, which the County received from the State pursuant to the terms of the South Mall Agreement and any Supplements thereto, and

WHEREAS, December 31, 2004 has passed and all of the principal and interest on the bonds and notes issued by the County to finance the South Mall Project have been paid, and are fully satisfied, and

WHEREAS, under the circumstances, and pursuant to the terms of the South Mall Agreement, said lease has expired and the County is required to and wishes to make said conveyance back to the State and the State wishes to accept delivery of said conveyance.

NOW, THEREFORE, in consideration of these presents, and in conformity with the provisions of the South Mall Agreement dated May 11, 1965, the County does hereby remise, release and quitclaim unto the State, its successors and assigns, all right, title and interest in the South Mall Project lands acquired by the County from the State pursuant to the following Five (5) Deeds:

1. People of the State of New York to the County of Albany dated May 11, 1965 and recorded in the Albany County Clerk's Office in Liber 1829 of Deeds, page 311 on May 11, 1965.
2. People of the State of New York to the County of Albany dated February 17, 1967 and recorded in the Albany County Clerk's Office in Liber 1898 of Deeds, page 313 on March 1, 1967.
3. People of the State of New York to the County of Albany dated May 2, 1975 and recorded in the Albany County Clerk's Office in Liber 2102 of Deeds, page 1067 on August 27, 1975.
4. People of the State of New York to the County of Albany dated March 1, 1990 conveying the same property set forth in the No. 3 above and not recorded in the Albany County Clerk's Office, a copy of which Deed is attached hereto as Exhibit "A".
5. People of the State of New York to the County of Albany dated May 17, 1979 and recorded in the Albany County Clerk's Office in Liber 2170 of Deeds, page 813 on June 18, 1979.

EXCEPTING from the premises described in the Five (5) Deeds set forth above the parcels of land described in the following Three (3) Deeds:

1. County of Albany to the New York State Urban Development Corporation dated May 25, 1972 and recorded in the Albany County Clerk's Office in Liber 2052 of Deeds, page 853 on September 27, 1972.
2. People of the State of New York to County of Albany – Conveyance of leasehold reversion Deed dated January 30, 1989 and recorded in the Albany County Clerk's Office in Liber 2394 of Deeds, page 377 on June 26, 1989.
3. County of Albany to the People of the State of New York dated September 8, 1989 and recorded in the Albany County Clerk's Office in Liber 2405 of Deeds, page 999 on December 12, 1989.

TOGETHER with the appurtenances and all the estate, rights and interest of the County in and to said premises.

TO HAVE AND TO HOLD the above granted premises unto the State, its successors and assigns forever.

IN WITNESS WHEREOF, the County has caused this instrument to be signed by its duly authorized officer the day and year first above written.

IN THE PRESENCE OF

The COUNTY OF ALBANY, NEW YORK

By: _____

DANIEL P. McCOY

Its: ALBANY COUNTY EXECUTIVE

STATE OF NEW YORK:

SS.:

COUNTY OF ALBANY:

On the _____ day of _____, 20__ before me, the undersigned, personally appeared DANIEL P. McCOY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and he acknowledged to me that he executed the same in his capacity as the Albany County Executive, that by his signature on the instrument, the individual, or the person upon behalf of which the he acted, to wit: the County of Albany, New York, executed the instrument.

NOTARY PUBLIC - STATE OF NEW YORK

RECORD AND RETURN TO:

Lisa Schryer-Cannon, Deputy Bureau Chief
Office of the Attorney General
Real Property Bureau, Box 110
The Capitol
Albany, NY 12224