

RESOLUTION NO. 134

DECLARING A PARCEL OF REAL PROPERTY LOCATED AT CENTRE STREET AND LIVINGSTON AVENUE IN THE CITY OF ALBANY NO LONGER NECESSARY FOR PUBLIC USE

Introduced: 3/11/24

By Audit and Finance Committee:

WHEREAS, The County Executive has requested that a County-owned parcel of real property measuring ± 0.02 acres and located adjacent to Centre Street and Livingston Avenue in the City of Albany, be deemed no longer necessary for public use so that the County may sell the property consistent with § 65-3 of the Albany County Code, and

WHEREAS, This determination will allow the County to convey the parcel to the New York State Department of Transportation, to be utilized for the reconstruction of the Livingston Avenue Railroad Bridge, now, therefore, be it

RESOLVED, By the Albany County Legislature, that pursuant to § 65-3 of the Albany County Code, the Albany County Legislature hereby declares that the property located adjacent to Centre Street and Livingston Avenue in the City of Albany and as described in the map annexed hereto, is “no longer necessary for public use” and, be it further

RESOLVED, That the County Attorney is authorized to approve said document 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.

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
ACQUISITION MAP

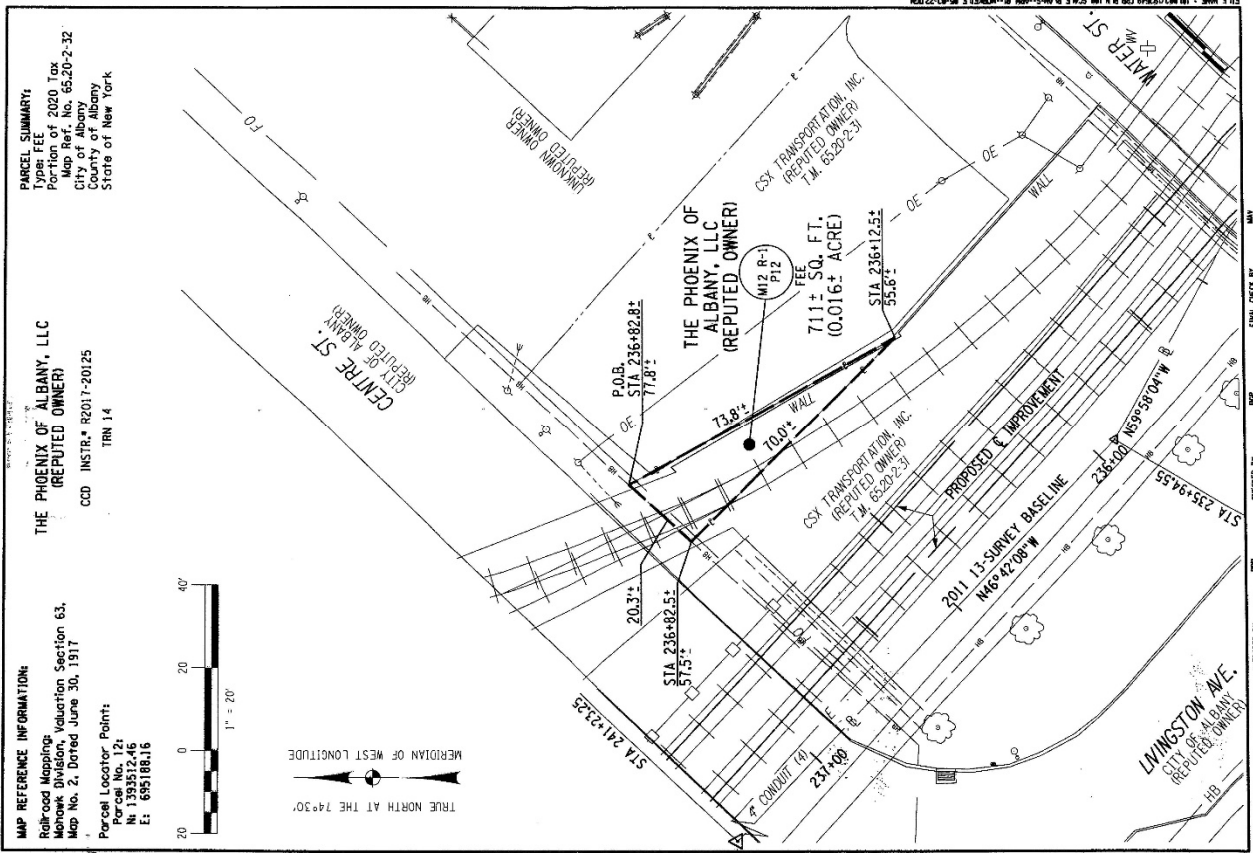
LIVINGSTON AVENUE
RAILROAD BRIDGE

MAP NO. 12 R-1
PARCEL NO. 12
SHEET 2 OF 2 SHEETS

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
ACQUISITION MAP

LIVINGSTON AVENUE
RAILROAD BRIDGE

MAP NO. 12 R-1
PARCEL NO. 12
SHEET 2 OF 2 SHEETS



MAP REFERENCE INFORMATION:
Rail-road Mapping:
Mohawk Division, Valuation Section 63,
Map No. 2, Dated June 30, 1917

Parcel Location Points:
N: 1393312.45
E: 695188.16

TRN 14
COD INSTR. # R2017-20125

PARCEL SUMMARY:
The Phoenix of Albany, LLC
Partition of 2020 Tax
Map Ref. No. 65-20-2-32
City of Albany
County of Albany
State of New York

THE PHOENIX OF ALBANY, LLC
(REPUTED OWNER)

UNAUTHORIZED ALTERATION OF A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.

I hereby certify that this map was prepared in accordance with current NYSDBP policies, standards and procedures.

Date: Dec 24 2023

Michael R. Cukrovsky, P.E.
Regional Design Engineer
for the Regional Director of Transportation, Region No. 1

Prudent Engineering LLP
Engineering and Land Surveying
100 West 10th Street, 6th Floor
P.O. Box 1000
Albany, New York 12242
P.E. License No. 050079

Map of property which the Commissioner of Transportation deems necessary to be acquired in fee, for purposes connected with the Railroad System of the State of New York pursuant to Section 92 of the Railroad Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statutes set forth above and the authority delegated to me by official order of the Commissioner of Transportation, this acquisition map is hereby approved and certified as correct and true by the New York State Department of Transportation.

Date: January 10, 2024

Suparna Ghosh
OFFICE OF RIGHT-OF-WAY

All that piece or parcel of property hereinafter designated as Parcel No. 12, situated in the City of Albany, County of Albany, State of New York, as shown on the accompanying map, to be acquired in fee.

Beginning at a point in the southeasterly boundary of the existing Centre Street at its intersection with the division line between the property of The Phoenix of Albany, LLC (Reputed Owner) to the southeast and the property of CSX Transportation, Inc. (Reputed Owner) to the northeast, said point being 77.81 feet distant northeasterly measured at right angles from Sta. 236+82.82; thence southeasterly along said division line a distance of 73.81 feet to an angle point 55.61 feet distant northeasterly measured at right angles from Sta. 236+12.52; of said 2011 13-Survey Baseline; thence continuing northeasterly along said division line a distance of 70.02 feet to a point in said southeasterly boundary, said point being 57.51 feet distant northeasterly measured at right angles from Sta. 236+82.52; of said 2011 13-Survey Baseline; thence northeasterly along said southeasterly boundary a distance of 20.32 feet to the point of beginning, being 7111 square feet (0.016 acre), more or less.

The above mentioned Survey Baseline is a portion of 2011 13-Survey Baseline for the Livingston Avenue Bridge Rehabilitation/Replacement, as shown on a map and plan on file in the Office of Counties of Albany and Rensselaer Highway Departments and described as follows:

Beginning at Station 235+94.55; thence North 48°42'08" West to Station 241+23.25.

All bearings are based on True North of the 74°30' Meridian of West Longitude.

I hereby certify that the property mapped above is necessary for the project and the acquisition thereof is recommended.

Date: JANUARY 2 20 24.



THE PHOENIX OF ALBANY, LLC
(REPUTED OWNER)

Map of property which the Commissioner of Transportation deems necessary to be acquired in fee, for purposes connected with the Railroad System of the State of New York pursuant to Section 92 of the Railroad Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statutes set forth above and the authority delegated to me by official order of the Commissioner of Transportation, this acquisition map is hereby approved and certified as correct and true by the New York State Department of Transportation.

Date: January 10, 2024

Suparna Ghosh
OFFICE OF RIGHT-OF-WAY

I have compared the foregoing copy of the map with the original thereof, as filed in the Office of the State Department of Transportation, and I do hereby certify the same to be a true and correct copy of the original and of the whole thereof.

Suparna Ghosh
OFFICE OF RIGHT-OF-WAY

OFFICE OF RIGHT-OF-WAY

PREPARED BY

CHECKED BY

FINAL CHECK BY

FILE NAME