

STATE OF NEW YORK
COUNTY COURT COUNTY OF ALBANY

In the Matter of the "In Rem" Delinquent Tax Lien
Foreclosure Proceeding brought pursuant to
Article Eleven, Title 3 of the Real Property Tax
Law

by

THE COUNTY OF ALBANY, NEW YORK, TAX
DISTRICT,

against

Those Parcels of Real Property described in the
LIST OF DELINQUENT TAXES filed on February
1, 2012 covering the TOWNS of BERNE,
BETHLEHEM, COEYMANS, COLONIE, GREEN
ISLAND, GUILDERLAND, KNOX, NEW
SCOTLAND, RENSSELAERVILLE and
WESTERLO, Albany County.

6/14

**FINAL JUDGMENT OF
FORECLOSURE BY
DEFAULT, EXECUTION
AND WRIT OF ASSISTANCE
AS TO PARCEL No.
PARCEL No. COLONIE
6098-11-247 (Lincoln Avenue,
Town of Colonie)**

**Index No. 6098-11
RJI No CC-15-00006
IAS Judge: Surrogate Stacy L. Pettit
Acting Albany County Court Judge**

The COUNTY OF ALBANY, NEW YORK, TAX DISTRICT ("Tax District") having by its attorney Albany County Attorney Daniel C. Lynch, Esq. (Gregory A. Rutnik, Esq., Assistant County Attorney of counsel) duly moved this Court ex parte for a Final Judgment of Foreclosure by Default, Execution and Writ of Assistance in this proceeding as to the parcel of real property described in the abovesaid List as "PARCEL No. COLONIE 6098-11-247 (Lincoln Avenue, Town of Colonie)" reputedly owned of record by Realco Ltd., a more particular description of which parcel is annexed hereto as Exhibit "A", and said Motion having regularly come on to be heard by the undersigned Assigned Judge thereof,

NOW after reading and filing the Affidavit of Regularity of Assistant County Attorney Gregory A. Rutnik, Esq. sworn to on June 10, 2019 submitted in support of said Motion from which it appears that the Tax District is entitled to said relief and due deliberation having been had thereon, it is

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UPON said Motion of said attorney for the Tax District,

ADJUDGED that the abovesaid parcel, which was withdrawn from this proceeding by Certificate of Withdrawal filed by the Tax District with the Albany County Clerk on June 30, 2016 pursuant to RPTL 1138 (subds. 1, 2 and 3), has been reinstated thereto by Certificate of Reinstatement filed by the Tax District with the Albany County Clerk on June 5, 2019 pursuant to RPTL 1138 (subd. 4), and it is further

ADJUDGED that the last day to redeem or answer mentioned in the Petition and Notice of Foreclosure in this proceeding having past, pursuant to RPTL 1131 all persons having had the right to redeem or answer as to the abovesaid parcel of real property who have failed to redeem or answer are forever barred and foreclosed of all of their right, title, and interest and equity of redemption as to the abovesaid parcel, and it is further

ADJUDGED that all of the pleadings made and proceedings taken by the Tax District in this proceeding were regularly made and had as to the abovesaid parcel, and it is further

ADJUDGED pursuant to RPTL 1136 (subd. 1) that there has been due compliance by the Tax District with the provisions of RPTL Article Eleven, Title 3 in this proceeding as to the abovesaid parcel, and it is further

ADJUDGED that there has been due compliance by the Tax District with the applicable provisions of the Federal and State Soldiers' and Sailors' Civil Relief Acts (50 USCA §501 et seq. and New York Military Law, §300 et seq.) requisite to the granting of this default judgment in this proceeding as to the abovesaid parcel, and it is further

ADJUDGED AND ORDERED that pursuant to RPTL 1131 and RPTL 1136 (subd. 3) the Tax District is now entitled to and is hereby granted a Final Judgment of Foreclosure in this proceeding awarding it possession of the abovesaid parcel, and directing the Enforcing Officer to prepare, execute and cause to be recorded a Deed conveying to the Tax District full and complete title to the abovesaid parcel, and it is further

ADJUDGED AND ORDERED that by reason of the foregoing provision of this Judgment awarding it possession of and title to the abovesaid parcel the Tax District is entitled to be and hereby is granted an Execution pursuant to CPLR 5102 and a Writ of Assistance pursuant to RPTL 1162 pursuant to which the Albany County Sheriff is hereby directed to upon request by the Tax District remove therefrom its reputed owner of record Realco Ltd. and all other persons occupying the abovesaid parcel and to deliver possession of the same to the Tax District. Said Sheriff is hereby further directed to, at least seventy-two (72) hours beforehand, serve upon all persons to be removed from the abovesaid parcel a notice in writing of the scheduled time and date of their removal therefrom and to execute their removal only between the hours of sunrise and sunset, and it is further

ADJUDGED that this proceeding having been brought against real property only to foreclose delinquent tax liens "in rem", no judgment against any person is hereby granted or entered for such taxes or other legal charges or any part thereof, and it is further

ORDERED that for the purpose of prioritizing and expediting the conduct of this proceeding consistent with the expressed intent of RPTL 1132 the Albany County Clerk is hereby directed to immediately upon receipt thereof in preference over any and all other matters enter and index said Final Judgment of Foreclosure by Default, Execution and Writ of Assistance as to the abovesaid parcel.

Signed this 18th day of June, 2019 at Albany, New York.

ENTER,

Stacy L. Pettit

HON. STACY L. PETTIT, SURROGATE
ACTING ALBANY COUNTY COURT JUDGE

[Handwritten signature]
6-20-19
KEM

FOR
TOWN OF COLONIE, ALBANY COUNTY

PARCEL FORCLOSURE NO: 0000247
 FORECLOSURE PROCEEDING INDEX NO: 6098-11
 PARCEL LOCATION: LINCOLN AVE, TOWN OF COLONIE
 PARCEL TAX MAP NUMBER: 04400100010070020000
 PARCEL PROPERTY CLASS CODE: 710
 OWNER LISTED ON DELINQUENT TAX BILL: REAL CO
 REPUTED PARCEL OWNER(S): REAL CO
 AS OF 1/13/2012
 MAILING ADDRESS: PO BOX 1932
 WINDERMERE, FL 34786-1932

DELINQUENT TAXES

<u>YEAR</u>	<u>TYPE OF TAX</u>	<u>AMOUNT DUE</u>
2010	PROPERTY	16,684.01