



Albany County Clerk
32 North Russell Rd.
Albany, NY 12206-1324

Return to:

ALBANY COUNTY DEPT OF LA
112 STATE ST RM 900
ALBANY NY 12207

Instrument: Deed

Document Number: 10375227 Book: 2945 Page: 618

Grantor

COUNTY OF ALBANY

Grantee

ALBANY HOUSING AUTHORITY

Number of Pages: 6

Transfer Tax Receipt
Albany County Clerk Received:
Trans Tax# 4283
.....\$0.00

Recorded Date/Time: 03/19/2009 at 9:47 AM

Receipt Number: 0

Note: **DO NOT REMOVE - THIS PAGE IS PART OF THE DOCUMENT **
THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a(5) &
319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

Thomas G. Clingan, County Clerk

Albany County Clerk
Deed Books (Record Room)
Book 2945 Page 619**RECORD AND RETURN TO:**ALBANY COUNTY DEPARTMENT OF LAW
112 State Street, Room 900
Albany, New York 12207Albany County Clerk
Document Number 10375227
Rcvd 03/19/2009 9:47:21 AM**QUITCLAIM DEED**

THIS INDENTURE made the 31ST day of December, 2008 between

The **COUNTY OF ALBANY, NEW YORK**, a municipal corporation organized and existing pursuant to the laws of the State of New York having its principal office located at 112 State Street, Albany, New York 12207, **party of the first part**, and

The **ALBANY HOUSING AUTHORITY**, a municipal housing authority organized and existing under the laws of the State of New York having an office located at 200 South Pearl Street, Albany, New York 12202, **party of the second part**,

Witnesseth that in consideration of payment by the party of the second part of the sum of ONE DOLLAR (\$1.00) AND NO CENTS lawful money of the United States, the party of the first part hereby remises, releases and quitclaims unto the party of the second part, its successors and assigns forever, all of the party of the first part's right, title and interest in and to

All that certain lot, piece or parcel of land situate, lying and being in the City of Albany, County of Albany and State of New York described in Exhibit "A" attached.

Being the same premises described as "**PARCEL No. ALBANY 5835-04-540 (144 Livingston Avenue, City of Albany)**" in the Deed in Foreclosure conveying said premises to the party of the first part having simultaneously herewith been executed by the Enforcing Officer of the County of New York, Tax District and recorded in the Office of the Albany County Clerk made pursuant to Final Judgment of Foreclosure with respect to said premises granted said Tax District by Order of the Albany County Court on August 11, 2008 and entered in the Albany County Clerk's Office on August 14, 2008 in the proceeding commenced under **Index No. 5835-04** entitled "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 January 6, 2006** covering the **CITY OF ALBANY**, Albany County".

This conveyance is made pursuant to and is conditioned by Resolution No. 424 of the Albany County Legislature for the year 2008 adopted on November 10, 2008, authorizing the conveyance of the premises to the party of the second part.

Title to the premises hereby conveyed is subject to: (a) any state of facts an accurate survey or personal inspection of the premises would disclose; (b) all applicable zoning, land use and building code regulations; (c) any easements, covenants, conditions

and rights-or-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the delinquent tax foreclosure proceeding by which Albany County acquired title to the premises; (d) liability for any street, sewer, or other special assessments on the premises unpaid or payable to the municipality in which they are located; and, (e) liability for any water or sewer charges against the premises unpaid or payable to the municipality in which they are located.

Together with appurtenances and all of the estate and rights of the party of the first part in and to the premises.

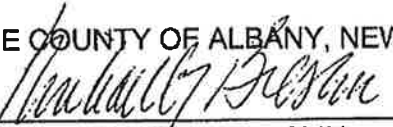
To Have and to Hold the premises hereby conveyed unto the party of the second part, its successors and assigns forever upon the condition: that the party of the second part shall use said premises to implement the Albany Community Development Agency's Arbor Hill Revitalization Plan; that said premises shall be improved at a minimum by the amount of the delinquent real property taxes on it at the time of this conveyance; and, that in the event said premises is sold at a profit exceeding the cost of such improvements, the party of the first part shall be reimbursed in the full amount of such excess. In the event any of said conditions are not met as to said premises the party of the first part may assert a right of reverter of title to said premises by commencing an action to reacquire title to it for condition broken. Said right of reverter will be released as to said premises upon submission of satisfactory proof to the party of the first part that all of the aforesaid conditions have been met as to said premises.

In Witness Whereof the party of the first part has executed these presents on the day above written.

In the presence of

Party of the first part

THE COUNTY OF ALBANY, NEW YORK

By  L.S.

MICHAEL G. BRESLIN,
ALBANY COUNTY EXECUTIVE

ACKNOWLEDGMENT

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

On the 31st day of December, 2008, before me, the undersigned, personally appeared MICHAEL G. BRESLIN, 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 acknowledged to me that he executed the same, and that by his signature on the within instrument, the individual, or the person upon behalf of which the individual acted, to wit: the County of Albany, New York, executed the instrument.

Melanie J. Bunzey
NOTARY PUBLIC - STATE OF NEW YORK

MELANIE J. BUNZEY
Notary Public, State of New York
Qualified in Albany County
No. 018U6048902
Commission Expires Oct. 2, 2010

AFFIDAVIT

State of New York }
 } ss.:
County of Albany }

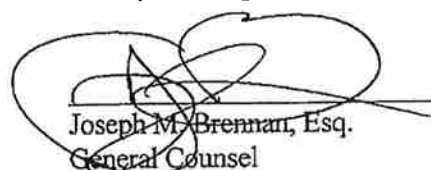
Joseph M. Brennan, being duly sworn, deposes and says as follows:

I am attorney to the Albany Housing Authority, a Municipal Housing Authority of the State of New York, with offices at 200 South Pearl Street, Albany, New York 12202.

Pursuant to Public Housing Law §52(1), a housing authority shall be exempt from the payment of any taxes or fees to the state or any subdivision thereof. This exemption includes any and all fees associated with the recording of a deed with the County Clerk (1943 Ops Atty Gen 78) and related real estate transfer taxes. (NY CLS Tax §1405)

Wherefore, it is requested that any and all recording fees and taxes associated with the attached Deed conveying title to 144 Livingston Avenue to Albany Housing Authority be waived based on the fact that the Albany Housing Authority is a Municipal Housing Authority created pursuant to the Public Housing Law and a agency and instrumentality of the State of New York.

Albany Housing Authority



Joseph M. Brennan, Esq.
General Counsel
Albany Housing Authority
200 South Pearl Street
Albany, New York 12202
(518) 641-7534

Sworn to before me this 10th day
of March, 2009


NOTARY PUBLIC

PAUL T. RUDZINSKI
Notary Public, State of NY
Qualified in Albany County
Commission Expires 8/31/09

GOLDBERGER AND KREMER

ATTORNEYS AND COUNSELORS AT LAW

39 NORTH PEARL STREET

SUITE 201

ALBANY, NEW YORK 12207

518/436-8313

FAX NO. 436-8316

BRYAN J. GOLDBERGER*

BRIAN S. KREMER

*ALSO ADMITTED IN PENNSYLVANIA

January 25, 2021

VIA EMAIL AT michael.mclaughlin@albanycountyny.gov

Daniel McCoy, County Executive
Office of the Albany County Executive
112 State Street, Room 1200
Albany, New York 12207

Re: 144 Livingston Avenue, Albany

Dear Mr. McCoy:

This office serves as General Counsel to Albany Housing Authority, the owner of 144 Livingston Avenue. It is our understanding that the County of Albany became the owner of 144 Livingston Avenue through a tax foreclosure in 2008 and that approximately \$7,750.00 was due in taxes when the foreclosure was completed. The County of Albany conveyed the property to Albany Housing Authority on or about December 31, 2008. The deed conveying title to Albany Housing Authority, a copy of which is enclosed, contained a right of reverter.

Since Albany Housing Authority became the owner of the property, it has demolished the dilapidated structure on the property. I have enclosed herewith an invoice from Ditunno and Sons, LLC for demolishing the structure, along with an invoice from Alpine Environmental Services for the required air monitoring during the demolition. The total cost of the demolition was \$11,650.00. I have enclosed copies of the checks paying for these services.

Albany Housing Authority would like to convey the property to Ricio Villa, the owner of 23 North Swan Street, which is adjacent to 144 Livingston Avenue, for the primary purpose of providing off street parking. Albany Housing Authority will not receive any payment for the conveyance. This transfer would be consistent with the Arbor Hill Neighborhood Rehabilitation Plan as set forth in Resolution 424-2008.

Based on the foregoing, I am requesting that the County release the reverter set forth in the December 31, 2008 deed. Please contact me should you require anything further in order to process this request. It is my understanding that the Albany County Legislature must approve any such release. Thank you.

Very Truly Yours,

GOLDBERGER AND KREMER

A handwritten signature in blue ink, appearing to read 'B. Kremer', with a stylized flourish at the end.

Brian S. Kremer

BSK:jnb
Encl.

RESOLUTION NO. 88

AUTHORIZING THE RELEASE OF RIGHT OF REVERTER OF TITLE TO 144 LIVINGSTON AVENUE (TAX MAP NO. 65.74-4-12) IN THE CITY OF ALBANY

Introduced: 3/8/21

By Audit and Finance Committee:

WHEREAS, By Resolution No. 424 for 2008, this Honorable Body authorized the conveyance of real property located at 144 Livingston Avenue (Tax Map No. 65.74-4-12) in the City of Albany, and

WHEREAS, The County of Albany, as set forth in Resolution No. 424 for 2008, reserved a right of reverter of title to 144 Livingston Avenue which would be released upon the complete rehabilitation of the property, and

WHEREAS, The Albany County Commissioner of the Department of Management and Budget has requested that the Legislature release the reverter based upon documentation that the rehabilitation was completed, now, therefore be it

RESOLVED, By the Albany County Legislature that the right of reverter to title for 144 Livingston Avenue (Tax Map No. 65.74-4-12) in the City of Albany reserved by the County of Albany is released, and, be it further

RESOLVED, That the Albany County Commissioner of Management and Budget is authorized and directed to execute a release of the right of reverter, 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.