

**TOWN OF OLIVE**  
**Resolution # 3 of 2015**  
**RESOLUTION ACCEPTING CONVEYANCE OF REAL PROPERTY UNDER THE HAZARD**  
**MITGATION GRANT PROGRAM**

WHEREAS, THE County of Ulster is charged with administering the Federal Emergency Management Agency's (FEMA'S) Hazard Mitigation grant Program (HMGP); and

WHEREAS, pursuant to the HMGP, and in an effort to remove certain Ulster County residents from harm's way, FEMA is willing to fund 75% to 100% of eligible costs to purchase certain properties damaged or destroyed by Hurricane Irene and Tropical Storm Lee; and

WHEREAS, a number of properties in the Town of Olive have been deemed eligible to participate in the HMGP as follows:

4091 Route 29, Boiceville, NY

36.11-1-33

WHEREAS, in order for those residents of the Town of Olive, whose properties have been identified as eligible for participation in the HMGP, to benefit from the buyout, the Town must agree to take title to the properties; and

WHEREAS, the properties will be conveyed to the Town subject to a restriction requiring that the property be dedicated and maintained in perpetuity for uses compatible with open space, recreation, or wetlands management practices as defined in 44 C.F.R. Part 80, and no new structures will be built on the property with limited exceptions; and

WHEREAS, subsequent to the buyout and transfer of title, the County will oversee the demolition of all improvements on the properties, and the County of Ulster and/or its contractors will require access to the property for purposes of said demolition of the improvements thereon.

Now therefore be it

RESOLVED, that the Town of Olive hereby authorizes the conveyance of title from the willing sellers of the above identified properties to the Town; and be it further

RESOLVED, that the Town of Olive hereby acknowledges and accepts the restrictions imposed by the HMGP; and be it further

RESOLVED, that the Town of Olive hereby acknowledges the post conveyance need for the County of Ulster and/or its contractors to access the properties for purposes of demolition of the improvements thereon; and be it further

RESOLVED, that the Town of Olive's Town Board approves and authorizes the Memorandum of Agreement (MOA) that sets forth the detail of the HMGP and the conveyances, a copy of said MOA being attached to this Resolution, and be it further

RESOLVED, that the Town Supervisor of the Town of Olive is further authorized to sign the MOA together with any and all documents or forms required to accept the conveyance of the subject properties; and be it further

RESOLVED, that the Town hereby authorizes and directs the County of Ulster to record the deed and conveyance documents with the Clerk of the County of Ulster; and be it further

RESOLVED, that the Town Clerk of the Town of Olive shall provide a certified copy of this resolution to the Ulster County Attorney.

At a meeting of the Town Board of the Town of Olive held on February 10, 2015, called to order by Supervisor Sylvia Rozzelle, the above resolution was offered by Supervisor Sylvia Rozzelle, who moved its adoption, seconded by \_\_\_\_\_.

**A VOTE WAS DULY TAKEN:**

	Aye	Nay
Sylvia Rozzelle, Supervisor	_____	_____
Don VanBuren, Board Member	_____	_____
Scott Kelder, Board Member	_____	_____
Jim Sofranko, Board Member	_____	_____
Peter Friedel, Board Member	_____	_____

Whereupon, the motion was duly adopted.

Dated this 10<sup>th</sup> day of February 2015

\_\_\_\_\_  
Dawn Giuditta, Olive Town Clerk