

March 27, 2023

Special meeting of the Town Board of the Town of Sparta was held March 27, 2023 at 5:00 pm.

Members present: Supervisor Mark Schuster, Deputy Supervisor Deb Halpenny, Bill Smith, Mary Ellyn Calabrese and Aaron Schreiner.

A motion was made by to pass the following Resolution:

**TOWN OF SPARTA  
RESOLUTION AUTHORIZING THE CONVEYANCE OF LAND,  
SUBJECT TO PERMISSIVE REFERENDUM**

Adopted: March 27, 2023

**WHEREAS**, the Town Board of the Town of Sparta met at a special board meeting at the Town Offices located in the Town of Sparta, New York on the 27th day of March 2023, commencing at 5:00 p.m. at which time and place the following members were:

|                 |               |                      |
|-----------------|---------------|----------------------|
| <u>Present:</u> | Supervisor    | Mark Schuster        |
|                 | Councilperson | Deb Halepnney        |
|                 | Councilperson | Bill Smith           |
|                 | Councilperson | Aaron Schreiner      |
|                 | Councilperson | Mary Ellyn Calabrese |
| <u>Absent:</u>  | None          |                      |

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

**WHEREAS**, in accordance with Town Law §64, Town Boards are authorized to convey or lease real property in the name of the Town, upon adoption of a resolution which shall be subject to permissive referendum; and

**WHEREAS**, the Town Board of the Town of Sparta currently owns approximately 15.55 acres off of Route 256, the parcels are identified as follows:

- **Parcel 1-** approximately 3.042 acres
  - Known as SBL No. 162.-1-19.112
  - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk's Office
  - Open building lot with 249 feet of road frontage
- **Parcel 2-** approximately 2.551 acres
  - Known as SBL No. 162.-1-19.112
  - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk's Office
  - Open building lot with 260 feet of road frontage
- **Parcel 3-** approximately 2.785 acres
  - Known as SBL No. 162.-1-19.112
  - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk's Office
  - Open building lot with 339 feet of road frontage
- **Parcel 4-** approximately 7.175 acres
  - Known as SBL No. 162.-1-10
  - Deed can be found at Liber 905, Page 288 at the Livingston County Clerk's Office
  - Timber wood lot with 20 foot right-of-way from Route 256

; and

**WHEREAS**, a copy of a survey reflecting parcels 1-4 is attached hereto as **Schedule A**;  
and

**WHEREAS**, Parcel 1 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44 Township 7, Range 6 bounded and described as follows: Beginning at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence

1) South  $14^{\circ} 27' 24''$  West and along the westerly line of N.Y.S. Route 256 for a distance of 255 feet to a point; thence

2) North  $89^{\circ} 18' 24''$  East for a distance of 453.01 feet to a point; thence

3) North  $03^{\circ} 55' 25''$  East for a distance of 299.17 feet to the southwest corner of said Bozzette; thence

4) South  $83^{\circ} 31' 10''$  East and along the southerly line of said Bozzette for a distance of 505.93 feet to the westerly line of N.Y.S. Route 256 and the point of beginning. Containing therein 3.042 acres, shown as Parcel 1 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A

; and

**WHEREAS**, Parcel 2 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South  $14^{\circ} 27' 24''$  West and along the westerly line of N.Y.S. Route 256 for a distance of 255.00 feet to the point of beginning of the parcel to be described; thence

1) South  $14^{\circ} 27' 24''$  West and along the westerly line of N.Y.S. Route 256 for a distance of 198.92 feet to a point; thence

2) South  $13^{\circ} 53' 24''$  West and along the westerly line of said Route 256 for a distance of 63.58 feet to a point; thence

3) North  $89^{\circ} 18' 24''$  West for a distance of 412.14 feet to the a point; thence

4) North  $03^{\circ} 56' 00''$  East for a distance of 255.52 feet to a point; thence

5) South  $89^{\circ} 18' 24''$  East for a distance of 453.01 feet to the point of beginning. Containing therein 2.551 acres, shown as Parcel 2 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Subject to a right of way 20.0 feet wide along and adjacent to the northerly line of said lot 2 for ingress/egress to Lot 4 as shown on the aforesaid map.

; and

**WHEREAS**, Parcel 3 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South  $14^{\circ} 27' 24''$  West and along the westerly line of N.Y.S. Route 256 for a distance of 453.92 feet to a point; thence South  $13^{\circ} 53' 24''$  West and along the westerly line of said Route 256 for a distance of 63.58 feet to the point of beginning of the parcel to be described; thence

1) South  $13^{\circ} 53' 24''$  West and along the westerly line of said Route 256 for a distance of 210.94 feet to a point; thence the following 12 courses along the centerline of a creek

2) South  $14^{\circ} 11' 24''$  West for a distance of 39.67 feet to a point; thence

- 3) South 27° 46' 40" West for a distance of 40.03 feet to a point; thence
- 4) South 35° 57' 32" West for a distance of 36.92 feet to a point; thence
- 5) South 15° 43' 07" East for a distance of 12.38 feet to a point; thence
- 6) South 89° 15' 31" West for a distance of 86.70 feet to a point; thence
- 7) South 83° 55' 17" West for a distance of 28.32 feet to a point; thence
- 8) North 76° 09' 07" West for a distance of 80.69 feet to a point; thence
- 9) North 67° 38' 21" West for a distance of 23.84 feet to a point; thence
- 10) North 72° 02' 37" West for a distance of 25.87 feet to a point; thence
- 11) South 77° 12' 44" West for a distance of 41.71 feet to a point; thence
- 12) South 41° 07' 35" West for a distance of 40.94 feet to a point; thence
- 13) North 87° 34' 14" West for a distance of 23.37 feet to a point; thence
- 14) North 03° 56' 00" East for a distance of 333.05 feet to a point; thence

15) South 89°18'24" East for a distance of 412.14 feet to the point of beginning. Containing there in 2.785 acres, as shown as Parcel 3 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Containing therein 2.551 acres, shown as Parcel 3 on a map by Grover & Bates Associates, dated Sept. 21, 2022, Map No. 22-W25.

; and

**WHEREAS**, Parcel 4 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 255.00 feet to a point; thence North 89° 18' 24" West for a distance of 453.01 feet to the to the point of beginning of the parcel to be described; thence

- 1) South 03° 56' 00" West for a distance of 588.57 feet to a point; thence
- 2) South 86° 45' 46" West for a distance of 259.49 feet to a point; thence
- 3) North 03° 36' 52" East for a distance of 588.54 feet to the northerly line of Lot 43; thence

4) South 86° 45' 46" East for a distance of 532.66 feet along the north line of Lot 43 to the point of beginning. Containing there in 2.785 acres, as shown as Parcel 4 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Containing therein 7.175 acres, as shown as Parcel 4 on a map by Grover & Bates Associates, dated Sept. 21, 2022, Map No. 22-W25.

; and

**WHEREAS**, said municipal property described above (parcels 1-4) is of no value to the Town of Sparta as confirmed by the Town Supervisor of the Town of Sparta, Mark Schuster and is declared to be surplus municipal property and can be sold for fair and adequate consideration; and

**NOW ON MOTION OF** Deb Halpenny which has been duly seconded by Bill Smith, be  
it

**RESOLVED**, that the Town Board of the Town of Sparta hereby determines that the parcels of property described above (parcels 1-4) are considered to be surplus property, and the Town Board is authorized to sell parcels 1-4 at auction; and be it further

**RESOLVED**, the Town Clerk of the Town of Sparta is hereby directed to publish an abstract of this Resolution in the Livingston County News; and be it further

**RESOLVED**, that said resolution shall not take effect until thirty (30) days after its adoption or until approved by the affirmative vote of a majority of the qualified electors in the Town of Sparta.

All voted yes. Carried.

A motion was made by Mary Ellyn Calabrese and seconded by Aaron Schreiner to adjourn the meeting. All voted yes. Carried.

TOWN CLERK

Sheila Duffy