

BOARD OF TRUSTEES
VILLAGE OF SALTAIRE
RESOLUTION REGARDING A POSSIBLE
ABANDONMENT AND SALE OF A
PORTION OF BEACON WALK

WHEREAS the Village of Saltaire is the owner of a public walk and right of way known as Beacon Walk, which has its northern terminus at the southerly side of Bay Promenade in the Village of Saltaire and Beacon Walk from that northern terminus runs in a southerly direction, adjacent to the easterly side of the property known as 27 Bay Promenade, for the entire length of the eastern boundary of the 27 Bay Promenade property, that area of Beacon Walk hereinafter referred to as the “Adjacent Walk Area”; and

WHEREAS the Adjacent Walk Area has not been opened, used for public access or maintained by the Village of Saltaire for at least six years prior to the adoption of this resolution; and

WHEREAS the Adjacent Walk Area has not nor is it anticipated to be necessary in the future for public access for any other owner or property in the Village of Saltaire, and the Board of Trustees has determined that there is no governmental, municipal or public purpose to continue to hold the fee-simple title of the Adjacent Walk Area; and

WHEREAS the Village of Saltaire is therefore authorized, pursuant to the New York State Village Law, Town Law and General Municipal Law, upon the affirmative vote of the Board of Trustees and certain other requirements, to abandon the fee-simple interest in the Adjacent Walk Area as public land of the Village of Saltaire, which such abandonment may be at the discretion of the Board of Trustees subject to continuing easement rights over and under the property, and to transfer the title of the Adjacent Walk Area subject to those easement rights to the owner or owners of one of the properties adjacent to the Adjacent Walk Area who shall submit an offer to the Village for the purchase of those rights to the Adjacent Walk Area that is deemed by the Board of Trustees to be acceptable and sufficient consideration and in the best interests of the Village of Saltaire to accept; it is therefore

RESOLVED that the Board of Trustees hereby determines as follows:

1. That the portion of the northerly end of Beacon Walk described herein as the Adjacent Walk Area, having approximate dimensions of 209.1’ by 15’, is not necessarily required to be held in fee-simple interest to retain future rights for governmental, municipal or public purpose.

2. That the Village of Saltaire is hereby authorized to accept bids and negotiate the sale of the Adjacent Walk Area to any interested party for a price that is determined and confirmed by the Board of Trustees in a diligent manner to be not less than the fair market value of the Adjacent Walk Area and subject to such conditions as the Board of Trustees may deem necessary and proper including but not limited to that the Village shall retain and the acquiring party shall grant a permanent easement over and under the Adjacent Walk Area which easement shall run with the land and which offer is otherwise determined by the Board of Trustees to be in the best interests of the Village of Saltaire to accept.

3. That upon the determination of an agreed sales price that is not less than the determined fair market value and the obtaining of the consent to the transaction of any other person or owner that is determined by the Board of Trustees to be necessary or required, the Board of Trustees by further resolution may declare the fee-simple title ownership of the Adjacent Walk Area to be abandoned by the Village of Saltaire with a condition for a permanent easement in favor of the Village as described above to be retained, and authorize the Village to enter a contract of sale with the interested and qualified party whose bid has been accepted by the Board of Trustees and to take such actions as are necessary to complete that transaction.

Dated: August 28, 2021

Board of Trustees

Village of Saltaire