

RESOLUTION NO. 289

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A LEASE AGREEMENT FOR AN AIRPORT SURVEILLANCE RADAR (ASR) FACILITY

Introduced: 7/9/18

By Mass Transit Committee:

WHEREAS, The United States of America, acting through the Federal Aviation Administration (FAA), has proposed continuing to operate and maintain an Airport Surveillance Radar (ASR) Facility adjacent to the Albany County Airport, now, therefore be it

RESOLVED, That the Albany County Executive be, and hereby is, authorized to execute a lease agreement for a term of five (5) years commencing October 1, 2017 and ending September 30, 2022 to provide certain space to the FAA on County owned property off Watervliet Shaker Road in the Town of Colonie for an ASR facility, and, be it further

RESOLVED, That said lease agreement contain the necessary easements for access and utilities as more particularly described in the annexed Schedule A, the consideration for said lease being the operation and maintenance of said ASR facility which operation shall benefit the Albany County Airport, and, be it further

RESOLVED, That the Albany County Attorney be, and hereby is, authorized to approve said agreement as to form and content prior to execution thereof, and, be it further

RESOLVED, That the Clerk of the County Legislature be and hereby is directed to forward certified copies of this resolution to the appropriate Airport Authority and County Officials.

Referred to Mass Transit Committee – 7/9/18

SCHEDULE A

FACILITY SITE- ASR:

All that certain tract or parcel of land situate in the Town of Colonie, County of Albany, State of New York being more particularly bounded and described as follows:

Commencing at a point in the centerline of Watervliet-Shaker Road at its point of intersection with the property division line between lands of the County of Albany as described in Liber 768 of Deeds at Page 394 on the east and lands now or formerly of J. Paul Coleman, as described in Liber 1387 of Deeds at Page 247, on the west; thence from said point of commencement N 87°-57'-08" E, along said centerline of Watervliet-Shaker Road, a distance of 23± feet to a nail opposite the approximate centerline of a gravel road leading northerly; thence N 13°-09'-29" E, through said lands of the County of Albany, a distance of 883.73 feet to a concrete monument, said monument being the point of beginning of the hereinafter described parcel; thence from said point of beginning through said lands of the County of Albany the following four (4) courses and distances:

1. N 05°-09'-05" W, a distance of 150.00 feet to a concrete monument;
2. N 84°-50'-55" E, a distance of 150.00 feet to a concrete monument;
3. S 05°-09'-05" E, a distance of 150.00 feet to a concrete monument;
4. S 84°-50'-55" W, a distance of 150.00 feet to the point of beginning being 22,500± square feet or 0.517 acre of land more or less.

ASR ACCESS ROAD:

Also, a 30' right-of-way for ingress and egress to the above described parcel being more particularly bounded and described as follows:

Beginning at a point in the westerly property line of the above described parcel, said point of beginning being N 05°-09'-05" W, 34.97 feet measured along said westerly property line from a concrete monument; thence from said point of beginning through lands of the County of Albany, as described in Liber 768 of Deeds at Page 394, the following five (5) courses and distances:

1. S 81°-22'-23" W, a distance of 120.40 feet to a point;
2. S 83°-25'-06" W, a distance of 200.27 feet to a point;
3. N 06°-34'-54" W, a distance of 30.00 feet to a point;
4. N 83°-25'-06" E, a distance of 199.73 feet to a point;
5. N 81°-22'-23" E, a distance of 121.69 feet to a point in said westerly property line of the first described parcel;

thence S 05°-09'-05" E, along said westerly property line, a distance of 30.06 feet to the point of beginning being 9,631± square feet or 0.221 acre of land more or less.

Subject to any easements, covenants or restrictions of record that may be revealed in a complete and up-to-date abstract of title.

A. Together with a right-of-way for ingress to and egress from the premises (for Government employees, their agents and assigns); a right-of-way for establishing and maintaining a pole line or pole lines for extending electric power and/or telecommunication lines to the premises; and a right-of-way for subsurface power, communication and/or water lines to the premises; all rights-of-way to be over said lands and adjoining lands of the Lessor, and unless herein described otherwise, shall be reasonably determined by the Government as the most convenient route.

B. And the right of grading, conditioning, installing drainage facilities, seeding the soil of the premises, and the removal of all obstructions from the premises which may constitute a hindrance to the establishment and maintenance of Government facilities.

C. And the right to make alterations, attach fixtures, erect additions, structures, or signs, in or upon the premises hereby leased, which alterations, fixtures, additions, structures or signs so placed in or upon, or attached to the said premises shall be and remain the property of the Government.