

RESOLUTION NO. 449

AUTHORIZING THE CANCELLATION OF A TAX LIEN ON PROPERTY IN THE CITY OF ALBANY AND A CHARGE BACK THEREFOR

Introduced: 12/4/06

By Audit and Finance Committee:

WHEREAS, The Commissioner of the Department of Management and Budget has requested this Legislative Body to cancel a 1998 tax lien on property in the City of Albany on the grounds that the property was owned at the time by the New York State Urban Development Corporation, rendering it unenforceable pursuant to provisions of the Real Property Tax Law, and

WHEREAS, The Commissioner further requested authorization to charge back to the City of Albany \$51,664.61 stemming from the delinquent Downtown Business Improvement District charge against UDC which the County paid to make the City whole in accordance with the Real Property Tax Law, and

WHEREAS, The Commissioner indicated that the tax lien relates to property identified as 10 North Pearl Street, Albany, NY (Tax Map No. 76.34-2-51), also known as 87 State Street (Parcel I.D. No. 06389), which at the time of the BID charge was leased by Albank, and

WHEREAS, The Commissioner further indicated that recently-obtained correspondence provided by UDC's successor acknowledged that the property was not subject to the BID charge in question and waived payment in exchange for an off-setting voluntary contribution from Albany to BID, now, therefore be it

RESOLVED, By the Albany County Legislature that the aforementioned tax lien shall be canceled on the grounds that said lien is rendered unenforceable because the property in question was owned at the time by a tax-exempt governmental entity, and, be it further

RESOLVED, That the Commissioner of Management and Budget is authorized and directed to charge back delinquent taxes in the amount of \$51,664.61 paid by the County to the City of Albany, in accordance with the provisions of the Real Property Tax Law, 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.

Adopted by unanimous vote. 12/4/06