

ID 109897

DATE: October 30, 2024

TO: The Honorable Board of Acquisition and Contract

FROM: Kathleen O'Connor  
Commissioner, Department of Parks, Recreation and Conservation

Christopher Steers  
Director of Countywide Administrative Services

RE: Authority for the County of Westchester to enter into any and all agreements necessary to convey certain County-owned real property consisting of approximately 0.36 acres of vacant land at 0 Ferris Avenue, White Plains, to the City of White Plains for the sum of One (\$1.00) Dollar for use in perpetuity for park and municipal recreation purposes in accordance with the provisions of the Laws of Westchester County

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On September 1, 2024, the Westchester County Board of Legislators adopted Act No. 152-2024 which authorized the County of Westchester (the "County") to convey certain County-owned real property consisting of approximately 0.36 acres of vacant land, with a property address of 0 Ferris Avenue, White Plains, New York, known to the County as "WP Residual D", and identified as Tax Lot Section 125.34, Block 2, Lot 1 on the Official Tax Maps for the City of White Plains (the "Property"), to the City of White Plains (the "City") for the sum of One (\$1.00) Dollar for use in perpetuity for park and municipal recreation purposes in accordance with the provisions of the Laws of Westchester County ("LWC").

The Property is a triangular shaped parcel located at the southwest corner of Ferris Avenue and Cemetery Road, City of White Plains, New York. The Department has advised that the County purchased the Property, pursuant to a deed by and between Scarsdale White Plains Properties, Inc. and the County dated October 15, 1928 and recorded on October 17, 1928 in Liber 2891, Page 217, in the Office of the County Clerk, Division of Land Records, formerly the Office of the Register of Westchester County, New York. The Property was originally acquired for the purpose of the construction of the Tarrytown-White Plains Parkway (the "Parkway"). The Property was never used for construction of the Parkway and never used for any County purpose. The County has no plans to utilize this Property for any County or park purpose.

Pursuant to LWC Section 209.101(8)(b), "real property of the county which is no longer required for any county purpose may not be sold to any person or private entity unless any

city, town or village in the County of Westchester in which such real property is situated shall first have been offered, in writing, the opportunity to purchase such property”, subject to certain conditions set forth in said law. By letter, dated July 21, 2023, from the Director of Countywide Administrative Services, the County formally offered the City the opportunity to purchase the Property and to exercise its right of first refusal.

On November 6, 2023, the Common Council of the City adopted a resolution authorizing the City to purchase the Property, for use in perpetuity for park and municipal recreation purposes, for the sum of One (\$1.00) Dollar. By letter, dated November 21, 2023, the City, by and through its Corporation Counsel, formally advised the County that the City was accepting the County’s offer to sell the Property for the sum of One (\$1.00) Dollar for use by the City in perpetuity for park and municipal recreation purposes.

In accordance with LWC Section 191.41, the Commissioner of the Department of Planning has provided a report concluding that the County no longer has any need for the Property.

In addition, in accordance with LWC Sections 134.51(6) and 249.111(2), on February 15, 2024, the Westchester County Parks, Recreation and Conservation Board reviewed the proposed sale and adopted a resolution recommending the following: 1) the Property be deemed no longer needed for park purposes, and 2) the County Board of Legislators authorize the sale of the Property in accordance with the provisions of the County Charter and Administrative Code

Further, in accordance with LWC Section 209.101(8)(b)(3), the deed conveying the Property from the County to the City shall contain a clause that in the event that the City does not utilize the Property as a park and municipal recreation purposes within five (5) years of the date of the deed, or ceases at any time to use the Property as a park and municipal recreation purposes, the Property shall revert to the County.

The goal and objective of this conveyance is for the County to divest itself of a parcel of real property for which it has no use.

Your Honorable Board’s approval is now requested to authorize the County to enter into any and all agreements necessary in order to convey the Property to the City for the sum of One (\$1.00) Dollar for use in perpetuity for park and municipal recreation purposes. Approval of the attached Resolution is respectfully requested.

KOC/CS/mb  
Attachment

## RESOLUTION

Upon a communication from the Commissioner of Parks, Recreation and Conservation and the Director of Countywide Administrative Services, be it hereby

**RESOLVED**, that the County of Westchester (the "County") is hereby authorized to enter into any and all agreements necessary to convey to the City of White Plains certain County-owned real property consisting of approximately 0.36 acres of vacant land, with a property address of 0 Ferris Avenue, White Plains, New York, known to the County as "WP Residual D", and identified as Tax Lot Section 125.34, Block 2, Lot 1 on the Official Tax Maps for the City of White Plains (the "Property"), to the City of White Plains for the sum of One (\$1.00) Dollar for use in perpetuity for park and municipal recreation purposes in accordance with the provisions of the Laws of Westchester County; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is hereby empowered to execute all instruments and take such actions as may be reasonably necessary to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
165	42	1100	9542		\$1.00

Budget Funding Year(s)  
(must match resolution)

Start Date: N/A

End Date: N/A

Funding Source: Tax Dollars \_\_\_\_\_

Contractor Federal I.D. No./  
Social Security No.: \_\_\_\_\_

State Aid \_\_\_\_\_

\$1.00 Federal Aid \_\_\_\_\_  
(must match resolution)

Vendor No.: \_\_\_\_\_

Other \$1.00— Revenue

Encumbrance No.: \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 11/20/2024 - RAYMOND SCULKY, SECRETARY