

March 26, 2015

MEMORANDUM TO THE TRUSTEES

FROM THE PRESIDENT and CHIEF EXECUTIVE OFFICER

**SUBJECT: Blenheim-Gilboa Power Project –
Disposal of 7.40 Acres of Surplus Land –
Town of Gilboa, County of Schoharie –
Map No. 18-C, Parcel Nos. 522-A and 522-B**

SUMMARY

The Trustees are requested to authorize the conveyance of two adjoining parcels of unimproved surplus land, totaling approximately 7.40 acres, located along Mower-Kingsley Road in the Town of Gilboa, Schoharie County, to Paul J. Izzo and Lucille E. Izzo for the sum of \$12,000.00. The property to be conveyed is shown on the map attached hereto as Exhibit “A.”

BACKGROUND

Title 5-A of Article 9 of the Public Authorities Law (the “Act”) and the Authority’s Guidelines for the Disposal of Real Property (the “Guidelines”) allow the Authority, with the approval of the Trustees, to dispose of Authority real property by negotiation when the fair market value of such property is less than \$15,000.00.

The Authority’s Expenditure Authorization Procedures require Trustee approval of acquisitions or dispositions of fee or easement interests in real property where the per-parcel value exceeds \$10,000.00.

DISCUSSION

The Authority acquired title to the subject property by appropriation Map No. BG-0002, Parcel No(s) 15 and 16, both filed on 7/23/1969, in conjunction with its construction of the Blenheim-Gilboa Power Project. Lucille Izzo, co-owner of Parcel 522-A, comprising 6.07 acres, is the niece of William Didio. Mr. Didio was the owner at the time of appropriation and retains a life estate on the property. An additional small parcel, Parcel 522-B, comprising 1.33 acres, is also included so that the conveyed parcel has adequate access from Mower-Kingsley Road. It is not reasonable or practicable to convey this small parcel back to the original owners who are no longer adjoining landowners.

The appraised value is \$12,000.00. The proposed purchasers have agreed to pay this sum.

The Regional Manager of the Blenheim-Gilboa Power Project has advised that the subject property is not required for Authority operations and is surplus.

FISCAL INFORMATION

Proceeds of such disposition will be deposited into the Authority's Operating Fund.

RECOMMENDATION

The Vice President – Transmission, the Acting Vice President – Procurement and the Director – Site Purchasing, Materials Management and Real Estate recommend that the Trustees approve the sale of 7.40 acres of real property located in the Town of Gilboa, Schoharie County, shown on the map attached hereto as Exhibit “A,” to Paul J. Izzo and Lucille E. Izzo for the sum of \$12,000.00.

For the reasons stated, I recommend the approval of the above-requested action by adoption of the resolution below.

Gil C. Quiniones
President and Chief Executive Officer

RESOLUTION

RESOLVED, That pursuant to the provisions of Article 5, Title 1 of the Public Authorities Law, the Authority hereby finds and determines that title to the real properties shown and described on the maps entitled “Power Authority of the State of New York, Blenheim-Gilboa Pumped Storage Power Project Map No. 18-C, Parcel No’s. 522A and 522B” may be transferred to Paul J. Izzo and Lucille E. Izzo for the sum of \$12,000.00; and be it further

RESOLVED, that the Acting Vice President – Procurement and the Director – Site Purchasing, Materials Management and Real Estate, or designee, be, and each of them hereby is, authorized and directed to take such actions and execute on behalf of the Authority such deeds and supporting documents as are necessary or desirable to dispose of such real property; and be it further

RESOLVED, That the Chairman, the Vice Chair, the President and Chief Executive Officer, the Chief Operating Officer and all other officers of the Authority are, and each of them hereby is, authorized on behalf of the Authority to do any and all things and take any and all actions and execute and deliver any and all agreements, certificates and other documents to effectuate the foregoing resolution, subject to the approval of the form thereof by the Executive Vice President and General Counsel.

SURVEY AND DESCRIPTION PREPARED UNDER THE
 DIRECTION OF THE POWER AUTHORITY OF THE STATE OF
 NEW YORK.

ALTERATION OR ADDITION TO A SURVEY MAP BEARING
 THE SEAL OF A LICENSED LAND SURVEYOR IS A
 VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW
 YORK STATE EDUCATION LAW.

CC-D L. MAP 2, PARCEL
 No's. 15 & 16

**THE PEOPLE OF THE STATE OF NEW YORK
 (POWER AUTHORITY OF THE STATE OF NEW
 YORK - OWNER)**

NOTES

North orientation and bearing
 base are referenced to the
 Blenheim-Gilboa Pumped Storage
 Power Project Local Coordinate System.

P/O MAP 2
 PARCEL No.15

PARCEL No. 522A
 AREA = 57,935 +/- SQ.FT.
 1.33 +/- ACRES

JAMES STOLTENBORG
 (REPUTED OWNER)

ADAM &
 KRYSZYNA GERLAK
 (REPUTED OWNERS)

P.O.B.
 PARCEL 522A

P/O MAP 2
 PARCEL No.15

PARCEL No.15

PARCEL No.16

MAP 2

MAP 2

COURSES AND DISTANCES 1-6
 FOR PARCEL 522A

1. N 43° 53' 59" W 37.98'
2. N 03° 49' 32" W 72.49'
3. $\Delta = 46^\circ 35' 48''$
 R = 337.89'
 L = 274.79'
4. N 50° 25' 20" W 215.25'
5. N 06° 00' 00" E 17.34'
6. N 50° 25' 20" W 48.04'

COURSES AND DISTANCES 7-12
 FOR PARCEL 522B

7. S 50° 25' 20" E 48.05'
8. N 06° 00' 00" E 49.38'
9. S 50° 25' 20" E 201.98'
10. $\Delta = 46^\circ 35' 48''$
 R = 317.89'
 L = 258.53'
11. S 03° 49' 32" E 48.72'
12. N 43° 53' 59" W 85.65'

MOWER - KINGSLEY ROAD
 (TOWN OF GILBOA REPUTED OWNER)

PARCEL No. 522B
 AREA = 264,409 +/- SQ.FT.
 6.07 +/- ACRES

WILLIAM DIDIO
 (REPUTED OWNER)
 MAP No. 16C
 PARCEL No. 520

**THE PEOPLE OF THE STATE OF NEW YORK (POWER
 AUTHORITY OF THE STATE OF NEW YORK - OWNER)**

P/O MAP 2
 PARCEL No.16

$\Delta = 117^\circ 55' 56''$
 R = 473.00'
 L = 973.58'

MAP No. SG 334
 PARCEL No. 334 (P.E.)

MAP No. SG 100
 PARCEL No. 100(3) (PE)

GILBOA - NEW SCOTLAND TRANSMISSION LINE RIGHT - OF - WAY

LUCILLE & PAUL IZZO
 (REPUTED OWNERS)

P/O MAP 2
 PARCEL No.16

BAR SCALE



1 inch = 100 ft.

CONTINUED ON SHEET 2 OF 2

PEOPLE OF THE STATE OF NEW YORK
 ACTING BY AND THROUGH
 POWER AUTHORITY OF THE STATE OF NEW YORK
 PARCELS TO BE CONVEYED
 TO
 LUCILLE & PAUL IZZO AND WILLIAM DIDIO

PARCEL NO. 522A

AREA = 57,935 +/- Sq. Ft. (1.33 +/- Acres)

All that piece or parcel of property hereinafter designated as Parcel No. 522A, being in the Town of Gilboa, County of Schoharie, State of New York, as shown on the accompanying map and described as follows:

Beginning on the common division line between lands of The People of the State of New York (owner) on the north, lands of Adam & Krystyna Gerlak (reputed owners) on the east and lands of William Didio (reputed owner) on the south, thence along said common division between The People of the State of New York (owner) and William Didio (reputed owner), N 43°53'59" W, 37.98 feet to a point on the common division line between lands of The People of the State of New York (owner) on the east and other lands of William Didio (reputed owner) on the west;

thence along said division line the following five (5) courses and distances:

1. N 03°49'32" W, 72.49 feet to a point;
2. on a tangent curve to the left, having a central angle of 46°35'48", a radius of 337.89 feet, and a length of 274.79 feet to a point;
3. N 50°25'20" W, 215.25 feet to a point;
4. N 06°00'00" E, 17.34 feet to a point; and
5. N 50°25'20" W, 48.04 feet to a point on the easterly bounds of Mower-Kingsley Road (Town of Gilboa-reputed owner);

thence through the aforementioned lands of The People of the State of New York (owner) N 86°04'51" E, 303.87 feet to a point on the common division line between lands of said People of the State of New York (owner) on the west and lands of James Stoltenborg (reputed owner) on the east;

thence along said division line and continuing along the lands of said Adam & Krystyna Gerlak (reputed owners), S 05°21'37" E, 545.73 feet to the place of beginning, being 57,935 +/- Sq. Ft. (1.33 +/- Acres).

All bearings referred to the Blenheim-Gilboa Pumped Storage Power Project Local Coordinate System.

PARCEL NO. 522B

AREA = 264,409 +/- Sq. Ft. (6.07 +/- Acres)

All that piece or parcel of property hereinafter designated as Parcel No. 522B, being in the Town of Gilboa, County of Schoharie, State of New York, as shown on the accompanying map and described as follows:

Beginning at a point on the southerly boundary of Mower-Kingsley Road (Town of Gilboa-reputed owner) at a common corner between the lands of The People of the State of New York (owner) on the east and lands of Lucille & Paul Izzo (reputed owners) on the west;

thence along said southerly and easterly boundary of Mower-Kingsley Road the following three (3) courses and distances:

1. S 56°04'04" E, 243.07 feet to a point;
2. on a tangent curve to the left, having a central angle of 117°55'56", a radius of 473.00 feet, and a length of 973.58 feet to a point; and
3. N 06°00'00" E, 286.26 feet to a point at a common division line between lands of The People of the State of New York (owner) on the south and lands of William Didio (reputed owner) on the north;

thence along said division line the following five (5) courses and distances:

1. S 50°25'20" E, 48.05 feet to a point;
2. N 06°00'00" E, 49.38 feet to a point;
3. S 50°25'20" E, 201.98 feet to a point;
4. on a tangent curve to the right, having a central angle of 46°35'48", a radius of 317.89 feet, and a length of 258.53 feet to a point; and
5. S 03°49'32" E, 48.72 feet to a point on the common division line between The People of the State of New York (owner) on north and other lands of William Didio (reputed owner) on the south,

thence along said division line N 43°53'59" W, 85.65 feet to a point at the most northerly corner thereof;

thence continuing along said division line and along the common division line between the lands of The People of the State of New York (owner) on the north and lands of Lucille & Paul Izzo (reputed owners) on the south the following four (4) courses and distances:

1. S 16°54'21" W, 206.67 feet to a point;
2. S 54°15'53" W, 384.92 feet to a point;
3. S 85°56'37" W, 705.71 feet to a point; and
4. N 25°50'17" W, 334.83 feet to the place of beginning, being 264,409 +/- Sq. Ft. (6.07 +/- Acres).

All bearings referred to the Blenheim-Gilboa Pumped Storage Power Project Local Coordinate System.

Said Parcel No. 522A, being a portion of the following Power Authority of the State of New York, Blenheim - Gilboa Pumped Storage Power Project Maps and Parcels.

<u>Map No.</u>	<u>Parcel No.</u>	<u>Acquisition</u>	<u>Date</u>	<u>Notice of Appropriation</u>
2	15	Appropriation	7/23/69	L. 338 P. 499

Said Parcel No. 522B, being a portion of the following Power Authority of the State of New York, Blenheim - Gilboa Pumped Storage Power Project Maps and Parcels.

<u>Map No.</u>	<u>Parcel No.</u>	<u>Acquisition</u>	<u>Date</u>	<u>Notice of Appropriation</u>
2	15	Appropriation	7/23/69	L. 338 P. 499
2	16	Appropriation	7/23/69	L. 338 P. 499

I hereby certify that this is an accurate description and map made from accurate surveys and records in the files of the Power Authority of the State of New York.

Date _____

By: _____
 JOHN G. WINGFIELD N.Y.S.L.S. NO. 49842
 MANAGER, SURVEYING, MAPPING, AND GIS
 POWER AUTHORITY OF THE STATE OF NEW YORK