

**A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, NY**

WHEREAS, the City of Saratoga Springs was vested with title to thirty-one parcels of real property in September, 2011, pursuant to a proceeding under Article 11 of the Real Property Tax Law, and

WHEREAS, one of those parcels is parcel 178.44-2-31, located at 9 Doten Avenue, Saratoga Springs, and

WHEREAS, that parcel was included along with other parcels at a public auction held on July 14, 2012, and received a high bid of \$20,000.00, and

WHEREAS, the City does not require that parcel for a public purpose, and

WHEREAS, the City has received documents from the U.S. Department of Justice and U.S. District Court to indicate that the previous owner of the parcel, prior to the time that the City initiated the in rem proceeding and at all times thereafter, was effectively prohibited from redeeming the parcel, by timely payment of back taxes and fees to the City, because of the criminal acts of another person. See letter of 7/17/12 from United States Attorney Richard Hartunian, Press release from Department of Justice dated September 13, 2011, and Plea Agreement in United States of America v. Arthur Strasnick, Criminal Action No. 10-CR-318; 11-CR-410, and

WHEREAS, the previous owner of the parcel has now requested an opportunity to purchase the said parcel for full payment of back taxes and fees due the City, and

WHEREAS, the previous owner of the parcel served as a New York Army National Guard nurse at the World Trade Center, New York City, following the events of September 11, 2001, and suffered a serious medical condition as a result of said service, and

WHEREAS, Section 1136 of the Real Property Tax Law gives a tax district vested with title through an Article 11 proceeding the authority to sell and convey the real property acquired, upon confirmation of the legislative body of the tax district, and

WHEREAS, assisting crime victims in securing restitution for criminal acts is a lawful and proper exercise of governmental authority, and

WHEREAS, a number of State and Federal laws, including the September 11 Victims and Families Relief Act in Section 29 of the Workers' Compensation Law, and the waiver provisions for families of victims of terrorists in Section 5-1708 of the General Obligations Law, recognize the importance of granting consideration to September 11 victims as a matter of public policy, and

WHEREAS, granting the previous owner's request will restore her to the same position that she would have been in but for the aforementioned criminal acts,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. This Council, pursuant to its authority under Real Property Tax Law Section 1136, and in accordance with the terms and conditions established for the auction of July 14, 2012, rejects the bid received on parcel 178.44-2-31.
2. This Council directs that said parcel 178.44-2-31 be forthwith sold, transferred and conveyed to Rose Oropallo, 4 Joshua Road, Saratoga Springs, NY, 12866, under appropriate terms and conditions, upon the payment in full of all back taxes and fees owed to the City.

Dated: September 4, 2012

AYES_____

NAYS_____