

Council Member Robinson introduced the following:

Ordinance Number 13.52.22

AN ORDINANCE AUTHORIZING THE SALE TO THE CITY SCHOOL DISTRICT OF ALBANY OF 56 NORTH LARK STREET (TAX MAP PARCEL NUMBER 65.65-4-1)

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby ordered and directed that all the right, title and interest of the City of Albany in and to the 2.0± acre parcel at 56 North Lark Street (tax map parcel number 65.65-4-1) be sold at private sale pursuant to the provisions of Local Law No. 4 of 1984 to the City School District of the City of Albany.

SUBJECT to all easements, restrictions and rights-of-way of record.

Section 2. It is hereby determined that the aforesaid property has been abandoned for municipal or public purposes.

Section 3. The form, content, terms and conditions of such conveyance shall be approved by the Corporation Counsel and shall be subject to the approval of the Board of Estimate and Apportionment, and if approved by said Board, the Mayor is hereby authorized and directed to execute a proper deed of conveyance for a valuable consideration.

Section 4. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
4TH DAY OF MAY, 2022.**

Corporation Counsel

To: Danielle Gillespie, City Clerk

From: Brett Williams, Esq., Senior Assistant Corporation Counsel

Re: Common Council Legislation
Supporting Memorandum

Date: May 4, 2022

Sponsor: Council Member Robinson

ORDINANCE NUMBER 13.52.22

TITLE

AN ORDINANCE AUTHORIZING THE SALE TO THE CITY SCHOOL DISTRICT OF ALBANY OF 56 NORTH LARK STREET (TAX MAP PARCEL NUMBER 65.65-4-1)

GENERAL PURPOSE OF LEGISLATION

For many years, the Albany City School District was controlled, and its property was owned by, the City of Albany. When the School District became independent it took title to many of its properties, as it ought to have. However, whether on purpose or inadvertently, it seems that the City retained title to certain properties used and operated by the independent School District, while the status of some other properties remains unclear. This ordinance and the transfer it approves are part of a broader effort that will occur over the coming months to clarify the School District's title to a number of properties it has used and operated for many years. Once approved, the City will deed its interest in the subject property over to the School District by quitclaim deed.

The form, content, terms and conditions of the conveyance, once authorized, will be approved by the Corporation Counsel.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Under Local Law 4 of 1984, the sale of City-owned property requires Council approval by a three-fourths majority vote. This is accomplished by ordinance.

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION

This particular property, 56 North Lark Street (tax map no. 65.65-4-1), commonly referred to as 50 North Lark Street, is a roughly 2 acre parcel on which sits a building formerly occupied by the New Covenant Charter School. Currently, the City of Albany owns the land on which the building sits, but not the building itself. The building is owned by the School District, which leases the land on which the building sits from the City through a ground lease. Transfer of the City's interest in the property to the School District will unite both land and improvements under School District ownership.

FISCAL IMPACT(S)

The City will not seek any remuneration from the School District, which has owned, operated, and maintained the improvements on the property for many years.