

4468

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Staten Island to the former owner the Greentree Homeowners Association, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1560, Lot No. 33 on tax map for the borough of Staten Island

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Through a Staten Island in rem tax foreclosure, the city of
2 New York acquired title to premises designated as lot #33 in tax block
3 1560 in Staten Island, New York, in the borough of Staten Island, based
4 on non-payment of taxes due to inadvertent failure to pay taxes thereon
5 by the Greentree Homeowners Association, the former owner of such prop-
6 erty. Pursuant to sections 11-424 and 11-424.1 of the administrative
7 code of the city of New York, the city may release its interest in prop-
8 erty thus acquired if an application for such release is filed with the
9 city's department of general services within two years of the date on
10 which the city's deed is recorded and if such application is approved by
11 the in rem foreclosure release board. Since that period has not elapsed,
12 and pending the effectiveness of a chapter of the laws of 2009 authoriz-
13 ing the in rem foreclosure release board to authorize the release of
14 property where an application for such release is made more than two
15 years after the date of the city's acquisition thereof, state legis-
16 lation is necessary to restore said property to the Greentree Homeowners
17 Association. In addition, since the New York city charter requires that
18 the sale of city owned property be at public auction or by sealed bids
19 (except as otherwise provided by law), state legislative authorization
20 is necessary to permit said reconveyance.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 S 2. Notwithstanding any other provision of general, special or local
2 law, charter or administrative code to the contrary and subject to
3 section three of this act, the city of New York is hereby authorized to
4 release its interest in and convey the real property designated as tax
5 block 1560, lot #33, on the tax map of the city for the borough of
6 Staten Island to the Greentree Homeowners Association, the former record
7 owner of said property.

8 S 3. Such release and reconveyance may be made only upon the approval
9 of the in rem foreclosure release board established by section 11-424.1
10 of the administrative code of the city of New York, subject to the gran-
11 tee meeting the following conditions precedent:

12 (a) Submit an application for release in writing to the city commis-
13 sioner of general services accompanied by a certified title search,
14 affidavit of ownership, and all fees and payments as otherwise required
15 by section 11-424 of the administrative code of the city of New York.

16 (b) Pay all taxes, interest, penalties and charges otherwise required
17 by section 11-424 of the administrative code of the city of New York
18 upon the approval of the application by the in rem foreclosure release
19 board.

20 S 4. This chapter of the laws of 2009 shall not be deemed to be the
21 chapter upon the effectiveness of which paragraph 2 of subdivision a of
22 section 11-424 of the administrative code of the city of New York, under
23 local law, depends. Accordingly, the provisions of such paragraph 2
24 shall not apply to the release and reconveyance authorized to be made
25 herein.

26 S 5. This act shall take effect immediately.