

# Warren County Board of Supervisors

## RESOLUTION NO. 264 OF 2014

**Resolution introduced by Supervisors Girard, Wood, Westcott, Monroe and Strough**

**AUTHORIZING COMMENCEMENT OF PROCEEDINGS UNDER ARTICLE 2 AND ARTICLE 4 OF THE EMINENT DOMAIN PROCEDURE LAW WITH REGARD TO LAND ACQUISITION/AVIGATION EASEMENT - FOREST ENTERPRISES MANAGEMENT, INC.**

WHEREAS, to remain compliant with regulations of the Federal Aviation Administration and in order to extend Runway 1 at the Warren County Airport, the County must acquire off-airport land/avigation easements for the removal of obstructions to the navigable airspace on and over a parcel adjacent to the Warren County Airport and owned by Forest Enterprises Management, Inc. in the Town of Queensbury and known as Tax Map Parcel No. 303.11-1-4 and more particularly a 79.74± acre permanent avigation easement and 4.13± acre fee purchase (“the subject property”), and

WHEREAS, through correspondence of October 26, 2012, the County made a just compensation offer to Forest Enterprises Management, Inc. based upon the appraised value of Three Hundred Twenty-Seven Thousand Two Hundred Dollars (\$327,200) for the acquisition of the subject property, and

WHEREAS, the just compensation offer was conditionally accepted by Forest Enterprises Management, Inc. on February 22, 2013, and the County has subsequently been advised that the conditional acceptance has been rescinded by Forest Enterprises Management, Inc., and

WHEREAS, Robert S. Hite, Esq. as sub-consultant to C&S Engineers, Inc., consulting engineers to the County, is recommending that to acquire subject property proceedings under Article 2 and Article 4 of the Eminent Domain Procedure Law should be commenced, and

WHEREAS, this matter was discussed at the County Facilities Committee meeting conducted on April 29, 2014, and after deliberation the County Facilities Committee has recommended that the County authorize the commencement of proceedings under Article 2 and Article 4 of the Eminent Domain Procedure Law relative to the subject property, now, therefore, be it

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RESOLVED, that the Warren County Board of Supervisors hereby authorizes C&S Engineers together through its sub-consultants RK Hite Co., Inc. and Hite & Beaumont, PC to commence the necessary proceedings under Article 2 and Article 4 of the Eminent Domain Procedure Law to acquire the subject property, and be it further

RESOLVED, that the fees for the professional services necessary to commence and conclude the proceedings authorized herein have been authorized by separate resolution of the Board of Supervisors adopted on this date, and be it further

RESOLVED that the Chairman of the Board of Supervisors and/or the County Attorney be, and hereby are, authorized to execute any and all documents necessary to carry out the terms of this resolution.