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**TOWN OF HARRISON  
VILLAGE OF HARRISON  
ATTORNEY'S OFFICE**

**MEMORANDUM**

TO: Ronald Belmont, Supervisor/Mayor  
Members of the Town/Village Board

FROM: Andrea C. Rendo, Deputy Village Attorney *ACR*

DATE: September 6, 2018

SUBJECT: **Right of First Refusal Offer to the Proposed Conveyance  
of a Portion of County Road 80(A), located Along Halstead  
Avenue, in the Town/Village of Harrison**

In Town Board Resolution 2018-213, dated June 7, 2018, the Town Board resolved to authorize the Supervisor to execute and deliver to AvalonBay ("AVB") or its designee a quitclaim deed to the Roadway Parcel, provided that AVB shall be responsible for all costs of recording the deed. This was subject to the prior quitclaim conveyance by the County to the Town/Village of Harrison and also subject to permissive referendum.

We have been notified that the County has taken the position that they have a financial interest in the portion of the roadway originally expected to be conveyed to the Town/Village of Harrison by quitclaim deed. Instead, the County would like to authorize conveyance to its interest in such Roadway Parcel directly to the developer, AvalonBay Communities Inc.

Pursuant to County Law §209.101(8)(b), the County must first offer such property to the Town/Village where such property exists and allow the Town/Village a Right of First Refusal. Such offer is outlined in the attached letter from the County dated August 15, 2018.

Draft resolutions for the Town and Village are attached for your review which would resolve to have the Town/Village of Harrison relinquish any right to purchase said property and resolve to issue a quitclaim deed, as previously resolved, to AVB.

ACR:ld  
Enclosures