

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to deliver a quitclaim deed to Mount Hope A.M.E. Zion Church (the "Church"), the reputed owner of property consisting of approximately 6.30 acres located on Buckout Road in the Town of Harrison (the "Town") and shown on the Town's tax maps as Block 990, Lot 1 (the "Property"). The execution of a quitclaim deed is necessary to help recognize the Church's ownership in the Property so that the Property, which includes a 19<sup>th</sup> Century African American cemetery, can be restored by a not-for-profit agency.

Your Committee is advised that as the result of a title search conducted at the request of the Church on the Property, a map filed in the County Clerk's Office (then the Westchester County Register's Office) on May 21, 1925 and designated as Map # 2783 was found entitled, "Map Showing Lands To Be Acquired By The Westchester County Park Commission for Silver Lake Park Between Hall Ave. and Silver Lake in the Towns of North Castle and Harrison in the City of White Plains, Westchester County, N.Y." (the "Map"). This Map includes the Property, which is designated as Parcel 2 on the Map. Although the Map states that the Property was to be acquired by the County Park Commission, no deeds have been found in the County Clerk's Office that evidence a conveyance of the Property to the County. In addition, the Church's title company did not find any records showing condemnation or eminent domain proceedings affecting the Property. Further, the County's real estate records maintained by the Departments of Public Works and Transportation and Parks, Recreation and Conservation show no evidence of the County ever acquiring this Property. Your Committee is further advised that although the Church is exempt from payment of real property taxes as it is a religious organization, the present tax maps of the Town show that the Church is the owner of the Property.

Your Committee is advised that although it appears that the County has no ownership interest in the Property, since the Map is still on file in the County Clerk's Office, the Church has requested that the County release any interest it may have in the Property and acknowledge that it has no ownership interest in the Property by executing a quitclaim deed in order to clear up the title issue.

The Planning Department has advised that based on its review, the above referenced action does not constitute an action as defined in the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has been informed that pursuant to Section 104.11(2) of the County Charter, passage of this Act requires an affirmative two-thirds vote of all the members of the County Board of Legislators.

Your Committee has carefully considered this matter and recommends that your Honorable Board adopt the proposed Act authorizing the execution and delivery of the quitclaim deed to resolve the title issue with respect to the Property.

Dated: 10/13, 2022  
White Plains, New York

  
  
  
  
  
COMMITTEE ON Legislation

Dated: October 13<sup>th</sup>, 2022  
White Plains, New York

***The following members attended the meeting remotely, pursuant to Chapter 56 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**Legislation**

A handwritten signature in black ink, appearing to be "Chapman", written in a cursive style.

# FISCAL IMPACT STATEMENT

SUBJECT: Stony Hill Cemetery Quit Claim

NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ \_\_\_\_\_ -

Total Current Year Revenue \$ \_\_\_\_\_ -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: No funds required

Potential Related Operating Budget Expenses:

Annual Amount \_\_\_\_\_

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Potential Related Operating Budget Revenues:

Annual Amount \_\_\_\_\_

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \_\_\_\_\_  
\_\_\_\_\_

Next Four Years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared by: Roberto Nascimento

Title: Senior Budget Analyst

Department: Budget

Date: September 21, 2022

Reviewed By: 

Budget Director

Date: 9/21/22

ACT NO. 2022 - \_\_\_\_\_

**AN ACT** to release any title or interest the County of Westchester may have and authorize the execution and delivery of a quitclaim deed to Mount Hope A.M.E. Zion Church for approximately 6.30 acres of property in the Town of Harrison.

**BE IT ENACTED** by the Board of Legislators of the County of Westchester as follows:

**Section 1.** The County of Westchester (the “County”) is hereby authorized to execute and deliver a quitclaim deed to Mount Hope A.M.E. Zion Church (the “Church”), whereby the County releases any title or interest the County may have in approximately 6.30 acres of property located on Buckout Road in the Town of Harrison and designated as Block 990, Lot 1 on the tax maps of the Town of Harrison and as further known and designated as Parcel # “2” on that certain Map # 2783 filed in the County Clerk’s Office (then the Westchester County Register’s Office) on May 21, 1925 entitled “Map Showing Lands To Be Acquired By The Westchester County Park Commission for Silver Lake Park Between Hall Ave. and Silver Lake in the Towns of North Castle and Harrison and the City of White Plains, Westchester County, N.Y.”

§2. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§3. This Act shall take effect immediately.