

RESOLUTION _____

**THE TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY (“AGENCY”)
RESOLUTION TO COMMENCE PROCEEDINGS TO ACQUIRE TITLE TO
REAL PROPERTY IN FURTHERANCE OF
THE AGENCY’S FEBRUARY 14, 2022 DETERMINATION AND FINDINGS**

WHEREAS, the Town of Brookhaven Industrial Development Agency (the “Agency”), at its meeting of February 14, 2022, adopted, by Resolution No. _____, a “Determination and Findings,” pursuant to the New York State Eminent Domain Procedure Law, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, the Determination and Findings identified twenty-eight (28) parcels of real property as necessary to the redevelopment of the Ronkonkoma Hub Redevelopment Project (as defined in the Determination and Findings); and

WHEREAS, the Agency authorized, at paragraph 55 of the Determination and Findings, its attorney to proceed to acquire title to the twenty-eight (28) parcels of real property via eminent domain; and

WHEREAS, the Master Developer (as defined in the Determination and Findings) has determined that the acquisition of title to the following six (6) of the above-referenced twenty-eight (28) parcels of real property is required at this time in order to continue to develop the Ronkonkoma Hub Redevelopment Project

SCTM: 0200-799.00-03.00-033.002
Reputed Owner: 55 Property Corp.

SCTM: 0200-799.00-03.00-042.000
Reputed Owner: 55 Property Corp.

SCTM: 0200-799.00-03.00-040.001
Reputed Owner: 61 Properties Corp.

SCTM: 0200-799.00-03.00-040.002
Reputed Owner: 61 Properties Corp.

SCTM: 0200-799.00-03.00-043.000
Reputed Owner: 51 Property Corp.

SCTM: 0200-799.00-03.00-044.000
Reputed Owner: Bennett & Gordon Realty Co., Inc. (collectively the six (6) parcels are

referred to herein at the “Subject Properties”); and

WHEREAS, the Agency has engaged in negotiations with counsel for the owners of the Subject Properties, however, the parties have not agreed to a negotiated sale; and

WHEREAS, the only remaining method to acquiring title to the Subject Properties is through eminent domain, which the Agency has previously authorized on February 14, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Agency authorizes its attorneys to take all steps necessary to acquire title to the Subject Properties in the name of the Agency in accordance with applicable law.

DATED: August 16, 2023

MOTION MADE BY: Mr. Trotta

SECONDED BY: Mr. Callahan

Unanimously approved.