

**WHITE PLAINS URBAN RENEWAL AGENCY**

**RESOLUTION 08-2024**

RESOLUTION OF THE CITY OF WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE ACQUISITION OF TITLE TO PROPERTY LOCATED AT 42-44 EAST POST ROAD, WHITE PLAINS, NEW YORK.

WHEREAS, pursuant to Section 583 of the General Municipal Law of the State of New York, the City of White Plains Urban Renewal Agency (hereinafter the “Agency”) was established for the accomplishment of any or all of the objectives or purposes specified in General Municipal Law Articles 15 and 15-a (each as may be amended from time to time and hereinafter collectively called the “Act”) which authorizes the Agency “to acquire or contract to acquire from any person, firm, corporation or government, by subsidy, contribution, gift, grant, bequest, devise, purchase, pursuant to the provisions of the eminent domain procedure law, or otherwise, real or personal property or any interest therein...” necessary or convenient to carry out and effectuate the purposes and provisions of the Act; and

WHEREAS, the Agency seeks to acquire property along East Post Road in the City of White Plains for the purposes of constructing a new multi-level public parking garage to serve the general public and alleviate existing parking deficiencies in the area as well as to facilitate redevelopments in the area to be undertaken by the White Plains Hospital and the White Plains Housing Authority; and

WHEREAS, one such property located within the area contemplated for the garage project is known as 42-44 East Post Road which is identified on the City of White Plains’ Assessment Map as Section 130.27, Block 2, Lot 3 (hereinafter the “Property”); and

WHEREAS, upon information and belief I.R. 42-44 E. Post Rd LLC holds fee interest to the Property; and

WHEREAS, on August 26, 2024, the Agency authorized its members, officers, employees and agents (including Legal Counsel and any Special Counsel it appoints) to prosecute condemnation proceedings in accordance with New York Eminent Domain Procedure Law (herein the “EDPL”) regarding the proposed acquisition of the Property; and

WHEREAS, on October 7, 2024, the Agency adopted Resolution 07-2024 making a Determination and Finding pursuant to the State Environmental Quality Review Act (“SEQRA”) regarding the potential acquisition of the Property; and

WHEREAS, the Agency presently seeks to take title to the Property by eminent domain, if necessary, for the acquisition of the Property (as such quoted term is defined in the EDPL) or otherwise; and

WHEREAS, the owners of the Property have agreed to sell the Property to the Agency for a price of Six Million Five Hundred Thousand Dollars (\$6,500,000);

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF WHITE PLAINS URBAN RENEWAL AGENCY AS FOLLOWS: that the Agency is authorized to acquire the Property located at 42-44 East Post Road for a sale price of Six Million Five Hundred Thousand Dollars (\$6,500,000) and the Agency authorizes its Chairman or his designee to execute a Sale and Purchase Agreement, in a form subject to the approval of the Agency's Counsel and upon the condition that all additional necessary approvals required by law, if any, are obtained; and be it further

RESOLVED, that the Agency finds that the acquisition of this Property was included within the findings made in Resolution 07-2024 pursuant to SEQRA regarding the potential acquisition of the Property.

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Hon. Thomas M. Roach, Chair	[ <input checked="" type="checkbox"/> ]	[       ]	[       ]	[       ]
Walter Eddie	[ <input checked="" type="checkbox"/> ]	[       ]	[       ]	[       ]
John M. Martin	[ <input checked="" type="checkbox"/> ]	[       ]	[       ]	[       ]
Daniel Moriarty	[ <input checked="" type="checkbox"/> ]	[       ]	[       ]	[       ]

The Resolution was thereupon duly adopted.

**CERTIFICATION**  
(EDPL Article IV Authorization)

STATE OF NEW YORK                    )  
COUNTY OF WESTCHESTER        ) ss.:

The undersigned, being the acting Assistant Secretary and Executive Director of the City of White Plains Urban Renewal Agency, DOES HEREBY CERTIFY THAT:

I have compared the foregoing extract of the minutes of the meeting of the City of White Plains Urban Renewal Agency (the "Agency") including the resolution contained therein, held on October 7, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject in matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal, if any, of said Agency this October 7, 2024.



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Christopher N. Gomez, AICP  
Executive Director & Acting Assistant Secretary