

Mohawk Valley Brownfields Developer Summit



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Young / Sommer LLC

Erasing Barriers

Site Access

Article 19-A and 19-B

- ▶ Taking Title to Abandoned Property

Taking Title to Abandoned Properties Using RPAPL

Title Search

Current Owner

Mortgages/Liens/Judgments

Back Taxes

Easements/Agreements

CERTIFICATE OF TITLE ISSUED BY

STEWART TITLE INSURANCE COMPANY

Title No. : FN-10500-NY
Premises : 110 Williams Street, New York, NY 10038
Reference : 110 William, LLC

Stewart Title Insurance Company certifies to the proposed insured named in Schedule A that an examination of title to the premises described in Schedule A has been made in accordance with its usual procedure and agrees to issue its standard form of title insurance policy in favor of the proposed insured, covering premises described in Schedule A, in the amounts hereinafter set forth, insuring the fee and / or mortgage and the marketability thereof, after the closing of the transaction in conformance with procedures approved by the Company excepting (a) all loss or damage by reason of the estates, interests, defects, objections, liens, encumbrances and other matters set forth herein that are not disposed of to the satisfaction of the Company prior to such closing or issuance of the policy (b) any question or objection coming to the attention of the Company before the date of closing, or if there be no closing, before the issuance of said policy.

This Certificate shall be null and void (1) if the fees therefore are not paid (2) if the prospective insured, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to material inquiries by or on behalf of the Company (3) upon delivery of the policy. Any claim arising by reason of the issuance hereof shall be restricted to the terms and conditions of the standard form of insurance policy. If title, interest or lien to be insured was acquired by the prospective insured prior to delivery hereof, the Company assumes no liability except under its policy when issued.


Chairman of the Board

STEWART TITLE
GUARANTY COMPANY




President

Countersigned:

First Nationwide Title Agency LLC
220 East 42nd Street, Suite 3105
New York, NY 10017

Tel: 212-499-0100
Fax: 212-499-0600

Site Access

SPECIAL PROCEEDING TO CONVEY TITLE TO ABANDONED DWELLING TO CITY, TOWN OR VILLAGE

- 1970 - Applicability.
- 1971 - Certification of abandonment.
- 1971-A - Destruction of abandoned dwellings.
- 1972 - Notice.
- 1973 - Commencement of proceeding.
- 1974 - Decision and judgment of court.

NYS Real Property Actions and Proceedings Law

▶ Article 19-A

Article 19B Expansion to Commercial and Industrial Properties

(b) In the case of a vacant commercial or industrial real property, it is not sealed or continuously guarded as required by law or it was sealed or is continuously guarded by a person other than the owner, a mortgagee, lienor or agent thereof, and either of the following facts exists:

(i) A vacate order of the department or other governmental agency currently prohibits occupancy of the commercial or industrial real property; or

(ii) The tax on such premises has been due and unpaid for a period of at least one year; or

(iii) The property has had a zoning, building or property maintenance code violation that has the potential to injure or endanger the health and safety of others or to unreasonably annoy others and that has been continuously outstanding and not remediated for a period of at least 1 year from date the original order to correct or notice of violation was served upon the property owner pursuant to the CPLR



Additional Measures to Access Sites

Young / Sommer LLC



FEEL FREE TO REACH
OUT!



E. HYDE CLARKE, ESQ.



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