

CITY OF MIDDLETOWN
BOARD OF ESTIMATE AND APPORTIONMENT AGENDA
APRIL 16, 2024 - 4:00 PM
COMMON COUNCIL CHAMBERS

1. ROLL CALL

2. NEW BUSINESS

2.1. Authorization to Forgive Interest and Penalties Associated with a City Owned Property at 8-10 Mercer Street

WHEREAS, the Common Council by Resolution authorized the attached Certificate of Sale by which the City of Middletown bid \$16,707.70 in order to have 8-10 Mercer Street conveyed to the City on January 7, 2016, and

WHEREAS, for reasons presently unknown, the City never took title to said property, resulting in liens being taken over by Cheswold and the accrual of obviously unintended interest and penalties, and

WHEREAS, the City has received the attached letter from Assurance Abstract & Title Services regarding 8-10 Mercer Street indicating the confusion generated by the years of Cheswold liens following the City's bid.

NOW THEREFORE BE IT RESOLVED that the Common Council hereby approves the forgiveness of the interest and penalties specified in the attached Assurance letter, and it is further

Resolved that the Mayor is also authorized to sign any other documents necessary to accomplish the purposes of this Resolution.

3. ADJOURNMENT

Alex Smith, Esq.
6 North Street
Middletown, NY 10940

RE: 23-AAT-7313
Jean M. Brown
8-10 Mercer Street
Section 28 Block 5 Lot 20.1

Dear Alex,

Regarding above captioned matter, we completed a foreclosure of tax liens on premises.

We paid Cheswold for said liens (2015 to 2022) as part of the foreclosure and understood that the buyer was responsible for subsequent taxes. Unfortunately, we were unaware that there was a prior lien for 2014 to the City of Middletown for \$16,707.70. We were made aware when we went to the City to pay the subsequent taxes. In addition to the original amount of \$16, 707.70 there is an additional \$23,161.93 interest and penalties accrued.

Assurance Abstract & Title would be paying this tax lien and does not have a problem with paying the \$16,707.70 that is owed to the City, but would like to get a reduction or forgiven for the interest and penalties.

Thank you.

Very truly yours,

Robin J. Keeler

robin@assuranceabstracttitle.com

RECORD AND RETURN TO:
CITY OF MIDDLETOWN
FINANCE DEPARTMENT
16 JAMES STREET
MIDDLETOWN, NY 10940

CERTIFICATE OF SALE

I, RICHARD GUERTIN of, and Attorney for, the City of Middletown, Orange County, New York, DO HEREBY CERTIFY, that pursuant to Section 81-a of the Charter of said City and by resolution of the Common Council of said City, duly made at a Special Meeting thereof held on NOVEMBER 3, 2014 and entered at large in the records of said City, I did, on the 6TH DAY OF DECEMBER 2014, at ten o'clock in the forenoon of that day, having previously given notice of the time and place of said sale according to law, sell at the City Hall, in said City of Middletown, to CITY OF MIDDLETOWN, 16 JAMES STREET, MIDDLETOWN, NY 10940 the purchase of, it being the highest bidder thereof, the following premises, to wit:

All that lot or parcel of land situate,
lying and being in the City of Middletown, Orange County
New York, known as 8-10 MERCER ST in said City, and described on the Tax Map of
the City of Middletown as follows:

SBL# 28-5-20.1

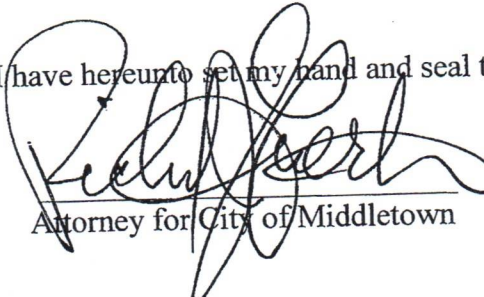
That the price bid for the above described parcel of land was **\$16707.7** and the whole consideration money paid was **\$16707.7**

That the name of the person or persons against whom the taxes or assessments hereinafter described were made is BROWN JEAN M.

That the particular taxes or assessments for which said sale was made for all delinquent taxes, assessments, and/or water and sewer rents as of October 31, 2013.

Which, together with penalty and interest fixed by law and by said orders, and the charges and expenses of the sale, amount in all to the sum of **\$16707.7** that the time when the said sale will become absolute and said purchaser may be entitled to conveyance according to law is the 7th day of JANUARY, 2016 subject to compliance by the purchaser with applicable laws and the terms of sale.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 9th Day of January, 2015.


Attorney for City of Middletown

(L.S.)

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

On the 9th Day of January 2015, before me, the undersigned, a notary public in and for said State, personally appeared RICHARD GUERTIN known to me on the basis