BOARD OF TRUSTEES - VILLAGE OF SALTAIRE
RESOLUTION ASSESSING PROPERTY LOCATED AT 208 ATLANTIC WALK FOR COSTS INCURRED IN SECURING, REMOVING BRUSH, TREES AND DEBRIS, TURNING OFF ELECTRICITY AND RELATED SECURITY AND SAFETY COSTS PURSUANT TO SECTION 18-20 OF THE SALTAIRE VILLAGE CODE AND ORDER OF THE SUPREME COURT

RESOLUTION SUPERSEDING PRIOR BOARD RESOLUTION OF AUGUST 28, 2026

WHEREAS the property located at 208 Atlantic Walk (the "Premises") more specifically identified by Suffolk County tax map number 503-2-1-44.008 and 51, is located in the Village of Saltaire and within the jurisdiction of the Village; and

WHEREAS the property 208 Atlantic Walk on information available to the Village of Saltaire is owned by the entity JAA1 Properties Corp. with outstanding mortgages on the property held by Sharestates Investments, LLC and MCLP ASSET COMPANY INC.; and

WHEREAS the Chief and Deputy Building Inspectors of the Village of Saltaire on September 22, 2025 performed an inspection of the property 208 Atlantic Walk pursuant to Section 107.1 and 107.3 of the 2025 Property Maintenance Code of the State of New York, and Section 18-20 of the Saltaire Village Code; and

WHEREAS based on the September 22, 2025 inspection the Chief Building Inspector on September 24, 2025 issued a Report of Inspection wherein based on the inspection of the Premises dated September 22, 2025 it was found by the Building Inspectors that the Premises was in an unsafe and unsanitary condition; and

WHEREAS based on the September 22, 2025 inspection and Report of Inspection the Chief Building Inspector on September 24, 205 issued a Compliance Order directing the owner JAA1 Properties Corp. to remedy the unsafe and unsanitary condition; and

WHEREAS upon inspection the property 208 Atlantic Avenue remains in the hazardous and unsafe condition described in the September, 2025 Notice of Inspection and Compliance Order; and

WHEREAS the common law of the State of New York and more specifically the Code of the Village of Saltaire allows and provides for the Village of Saltaire upon the finding of an unsafe and hazardous condition, that the Village may take action to cure the condition and or the Village Attorney may commence an action to cause the condition to be corrected or cured by the Village and to then assess the costs thereof to the owner of the premises, as stated on Section 18-20 of the Saltaire Village Code; and

WHEREAS the Board of Trustees authorized the Village of Saltaire by Resolution dated July 26, 2026 to commence an action in the Supreme Court seeking an order from the Court granting the Village of Saltaire access to the premises to turn off the circuit breaker, clean and remove the debris, brush and dead trees, secure the structure and premises, and obtain reports on the mold and mildew remediation and structural integrity of the structure on the premises; and

WHEREAS the Village of Saltaire then commenced an action in the Supreme Court on August 17, 2026 wherein the Village of Saltaire requested an order from the Court determining that the structure and premises are unsafe and granting the Village of Saltaire access to the premises to turn off the circuit

breaker, clean and remove debris, brush and dead trees, secure the structure and premises, and obtain reports on the mold and mildew remediation and structural integrity of the structure on the premises; and

WHEREAS on August 19, 2026 the Village of Saltaire made application before the Hon. Machael A. Gajdos, Jr. by order to show cause seeking in addition to preliminary and permanent relief, which order to show cause contained a request for temporary relief granting the Village of Saltaire access to the premises to turn off the circuit breaker, clean and remove debris, brush and dead trees, secure the structure and premises, and obtain reports on the mold and mildew remediation and structural integrity of the structure on the premises and ordering that the Village of Saltaire could recover the costs therein by judgment and order of the Court and by filing an assessment against the property; and

WHEREAS the Supreme Court, Justice Michael A. Gajdos, Jr. presiding, set a return date of September 3, 2026 for the Order to Show Cause and granted the temporary relief requested as set forth above; and

WHEREAS the Village of Saltaire since the August 19, 2026 granting of the requested has performed the ordered work on the 208 Atlantic Walk premises and structure and has incurred costs thereby in the amount of 7,986.45 contractor costs, $7,794 legal fees and disbursements, and administrative and office support in the amount of $3,156.09, for a total cost of $ 18,936.54 through August 27, 2026 only, which amounts have been certified by the Building Inspector and Village Administrator; IT IS THEREFOR

RESOLVED that pursuant to the August 19, 2026 order of the Court and Section 18-20 of the Saltaire Village Code an assessment in the amount of $18,936.54 is hereby imposed on the property 208 Atlantic Walk, and both tax lots of that property and that Treasurer of the Village of Saltaire is hereby directed to collect the amount of $18,936.54 plus any future costs so certified by the Building Inspectors and approved by future resolution of the Board to be added to the amount assessed on the next tax bill of the Village of Saltaire, as an amount due on both tax lots 503-2-1-44.008 and lot 51, however the total amount to be collected pursuant to this assessment and resolution shall not exceed $18,936.54 plus any interest and penalties accrued thereon; and let it further be

RESOLVED that the Village Attorney is hereby directed to the extent provided by law to file and obtain a lien on the property 208 Atlantic Walk in the amount of $18,936.54 and a judgment and order in the amount of $18,936.54 plus any future costs so certified by the Building Inspectors and approved by future resolution of the Board to be added to the amount assessed in favor of the Village of Saltaire and against the defendants and each of them, and that in the event that there are further expenditures arising after the date of this Resolution further resolution or application may be made.

Dated: November 9, 2026