

1993-1

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~CITY~~
~~TOWN~~
~~VILLAGE~~ ofChenango.....

Local Law No.1..... of the year 19 93..

A local law A COUNTY LOCAL LAW AUTHORIZING THE SALE OF A CERTAIN PARCEL OF SURPLUS
(Insert Title)
COUNTY REAL PROPERTY IN THE TOWN OF NORWICH TO SHELBOEN PROPERTIES, INC.

Be it enacted by theChenango County Board of Supervisors.....of the
(Name of Legislative Body)

County
~~CITY~~
~~TOWN~~
~~VILLAGE~~ ofChenango..... as follows:

Mr. Schlafer offered the following and moved its adoption:

STATE OF NEW YORK

COUNTY OF CHENANGO

LOCAL LAW NO. 1 OF THE YEAR 1993

"A COUNTY LOCAL LAW AUTHORIZING THE SALE OF A CERTAIN PARCEL OF SURPLUS
COUNTY REAL PROPERTY IN THE TOWN OF NORWICH TO SHELBOEN PROPERTIES, INC."

BE IT ENACTED by the Chenango County Board of Supervisors as follows:

Section 1. DECLARATION OF FINDINGS AND INTENT.

The Chenango County Board of Supervisors hereby finds:

(a) That a certain piece of County real property in the Town of Norwich is not necessary for public purposes and by duly enacted Resolution, has been declared surplus by the Board; and

(b) That the granting of an option and the possible sale and transfer of said certain parcel of real property to Shelboen Properties, Inc. its successor or assigns, for commercial development will serve the public interests of the County by facilitating economic development, including but not limited to job creation; infusion of moneys into the local economy; providing local retail establishments readily accessible to County resident; and adding to the tax base of the County and similar general benefits to the citizenry of the County.

Section 2. AUTHORIZATION OF TRANSFER.

(a) Notwithstanding the provisions of County Law, Section 215 and specifically subdivision 6 thereof, the Chenango County Board of Supervisors hereby authorizes the private sale and transfer of title of a certain piece of surplus County real property in the Town of Norwich to Shelboen Properties, Inc., its successors or assigns. Said authorization includes the granting of an exclusive option to

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(1)

purchase said property. Said option may be for an initial term of one year from the date of execution and may be renewable for an additional year.

(b) The following general provisions shall, in substance, be provided for in any option or other agreement entered into between the County and Shelborn Properties, Inc.:

i. The Consideration for the initial one year option shall be at least One Dollar, with any extension beyond one year commanding consideration of at least Five Hundred Dollars per month;

ii. If the option is exercised, consideration for the property shall be at least Fifty Thousand Six Hundred Fifty-Five Dollars (\$50,655.00) representing Five Thousand Five Hundred Dollars per acre subject, however, to appropriate adjustments as may be provided in the option agreement negotiated and entered into between the County and Shelborn Properties, Inc.

(c) This Board of Supervisors, subject to the provisions hereof, shall have authority by Resolution of the Board to enter into an option or other appropriate agreement, and to convey title to the property to Shelborn Properties, Inc. its successors or assigns, on such terms as it may deem proper; and to authorize the Chairman of this Board to execute appropriate option agreements, contracts and deeds and to take such other action as may be necessary to effectuate the provisions of this local law.

Section 3. SUBJECT PROPERTY.

(a) The certain parcel of real property which is the subject of this local law is approximately 10 acres more or less; is part of a larger parcel transferred to the County by deed dated June 11, 1991 and recorded in Liber 752 of Deeds at page 95 in the Chenango County Clerk's Office on June 17, 1991. The portion which is the subject hereof is generally described as follows:

All That Tract or Parcel of Land situate in the Town of Norwich, County of Chenango, State of New York, bounded and described as follows: Beginning at a point on the westerly side of N.Y.S. Route 12, which point is also the southeast corner of premises of Norwich Cemetery Association; thence running in a southerly direction and parallel to N.Y.S. Route 12, 55 feet, more or less, to a point, which point is also the northeast corner of a parcel of land excepted and reserved in a corrective deed from Robert Castle a/k/a Robert J. Castle and Gerald Levin to The Greater Norwich Foundation, and identified as Parcel 2 under said exceptions and reservations, dated September 8, 1989 and recorded in the Chenango County Clerk's Office September 19, 1989 in Liber 733 of Deeds at Page 250; thence running in a westerly direction along the northerly line of said Castle & Levin, and also along the northerly line of property now or formerly of Addison Swingle, a total of 390 feet, more or less, to a point; from thence running in a general southerly direction and along the westerly boundary of said Swingle, 258.73 feet, more or less, to a point in the southerly boundary of premises hereby conveyed where it intersects with the southwesterly corner of Addison Swingle at a point in the northerly boundary of other premises reserved in said corrective deed from Robert Castle a/k/a Robert J. Castle and Gerald Levin to The Greater Norwich Foundation dated September 8, 1989, identified as Parcel 1 under said exceptions and reservations; thence in a general westerly direction along the northern boundary of premises now or formerly of Robert Castle and Gerald Levin also reserved in said corrective deed dated September 8, 1989 from Robert Castle a/k/a Robert J. Castle and Gerald Levin to Greater Norwich Foundation and identified as Parcel No. 3 under said exceptions and reservations, 808 feet, more or less, to a point which is the southeast corner of the premises hereby conveyed; thence running in a general northerly direction and through the

premises of the County of Chenango 1179.04 feet, more or less, to a point which intersects with a southern boundary of Norwich Cemetery Association; thence in a general southerly direction and along a western boundary of Norwich Cemetery Association 741.07 feet to a point, and continuing along the boundary of Norwich Cemetery Association the following courses and distances: Generally Easterly 697.21 feet, more or less, to a point; Generally Southeasterly 39.05 feet, more or less, to a point; Generally Easterly 236.21 feet, more or less, to the point and place of beginning; containing 10 acres of land, be the same more or less.

Being a portion of the premises conveyed by The Greater Norwich Foundation to the County of Chenango by deed dated June 11, 1991 and recorded in the Chenango County Clerk's Office June 17, 1991 in Liber 752 of Deeds at Page 95.

Subject to the rights of the public in and to the use of New York State Route 12; and

Subject to utility easements and rights of way of record.

(b) The above description may be altered to conform to the state of affairs a professional land survey would determine appropriate and any such surveyed description may be used for the purposes of conveyance or other transactions by the County with regard to said property

Section 4. EFFECTIVE DATE.

Pursuant to Section 24 of the Municipal Home Rule Law of the State of New York, this local law shall take effect forty-five (45) days after it shall have been adopted unless a proper Petition has been filed so as to require a permissive referendum, in which case this law shall take effect upon its approval by a majority of qualified electors at an election called in accordance with the provisions of said statute.

Seconded by Mr. Knoll

Results of a roll call vote were: Yes-2,063, No-202, Absent-0

No: Supervisors Shepard and Dolan

The Chairman declared the local law duly adopted.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, in accordance with the applicable provisions of law. (Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__ in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19__, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 19 93 of the (County)(~~City~~)(~~Town~~)(~~Village~~) of Chenango was duly passed by the Board of Supervisors on January 11 19 93, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of February 25 19 93, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 4, above.



[Signature]
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

Date: February 25, 1993

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Chenango

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Chenango County, SS
Recorded on this 26th Day
of February 1993 at 2:20
o'clock P.M. in Local Laws 1 of
at Page 147 and examined
Fred A. Madal Clerk

Richard W. Bush
Signature
County Attorney
Title
County
~~City~~
~~Town~~ of Chenango
~~Village~~

Date: February 25, 1993