

1995-2

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
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(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~~ of Chenango
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 95
County AMENDING CHENANGO COUNTY LOCAL LAW NO. 1 OF 1993 AND AUTHORIZING THE SALE
A local law OF A CERTAIN PARCEL OF SURPLUS COUNTY REAL PROPERTY IN THE TOWN OF
(Insert Title) NORWICH TO SHELBOEN PROPERTIES, INC.

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

County
~~City~~ of Chenango as follows:
~~Town~~
~~Village~~

Mr. Schlafer offered the following and moved its adoption:

STATE OF NEW YORK

COUNTY OF CHENANGO

ADOPTED LOCAL LAW NO. 2 OF THE YEAR 1995

"A COUNTY LOCAL LAW AMENDING CHENANGO COUNTY LOCAL LAW NO. 1 OF 1993 AND 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 the Shelboen Properties, Inc. for commercial development by a Widewaters Company 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;

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

(1)

providing local retail establishments readily accessible to County residents; and adding to the tax base of the County and similar general benefits to the citizenry of the County.

(c) That by Local Law No. 1 of 1993 this Board did authorize the sale of approximately ten (10) acres of land to Shelborn Properties, Inc. but to provide proper drainage of water and to otherwise facilitate the commercial development of the property, it is necessary for Shelborn Properties, Inc. to acquire additional acreage and the County believes that the sale of the additional property is in the best interests 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 Shelborn Properties, Inc., its successors or assigns.

(b) 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 to 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 described as follows:

ALL THOSE TRACTS OR PARCELS OF LAND situate in the Town of Norwich, County of Chenango, State of New York, bounded and described as follows:

PARCEL NO. 1

Beginning at a 5/8 inch iron rod, hereinafter named survey monument, on the New York State Route 12 westerly Right of Way Boundary, also being the northeast corner of Robert Castle and Gerald Levin property as described in Liber 527 page 510 of Deeds recorded in the Office of the Chenango County Clerk:

thence proceeding along said Castle and Levin northerly property line N 66o48'04" W 197.19 feet to a survey monument at a corner of properties of Addison Schwingle as described in Liber 493 page 449 and Liber 609 page 788; thence proceeding along said Schwingle northerly boundary N 81o03'54"W 210.41 feet to a survey monument and along said Schwingle westerly boundary S 12o10'53"E

262.32 feet to a survey monument on the northerly property line of Robert Castle and Gerald Levin described in Liber 527 page 510; thence proceeding along said Castle and Levin northerly line N 81o04'05"W 883.96 feet; thence proceeding through properties of Chenango County described in Liber 752 page 95 N 09o56'03"E 1158.83 feet to the properties of the Norwich Cemetery Association as described in Liber 286 page 519 and Liber 296 page 46; thence proceeding along property boundaries of said Norwich Cemetery Association S 80o03'57"E 71.93 feet, S 04o31'07"E 738.10 feet, S 70o32'31"E 696.10 feet, S 36o43'27"E 33.01 feet, and S 72o29'28"E 222.67 feet to the westerly Right of Way line of New York State Route 12; thence proceeding along said Right of Way line S 09o56'00"W 60.00 feet to the point of beginning; said parcel containing 10.89 acres more or less.

PARCEL NO. 2

Beginning at a point on the northerly property line of Robert Castle and Gerald Levin as described in Liber 527 page 510 in the Office of the Chenango County Clerk, said point being N 81o04'05"W 883.96 feet from a survey monument at the southeast corner of Addison Schwingle properties as described in Liber 609, page 788; thence proceeding along said Castle and Levin north line N 81o04'05"W 850.13 feet to a survey monument; thence proceeding through lands of Chenango County as described in Liber 752 page 95 N 09o56'03"E 1173.70 feet to the south line of Norwich Cemetery Association; thence proceeding along said cemetery properties S 80o03'57"E 850.00 feet; thence proceeding S 09o56'03"W 1158.83 feet to the point of beginning; said parcel containing 22.77 acres.

Being a portion of the premises conveyed by The Greater Norwich Foundation to 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 subject to the approval of the County Attorney.

Section 3. EFFECT ON PRIOR LOCAL LAW.

This local law is intended to replace and amend Local Law No. 1 of 1993 and shall be given such effect and construed accordingly.

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. Briggs

Results of a Roll Call vote were: Yes-1,750, No-0, Absent-515

Absent: Supervisors MacCraie, Perry, Wrightington, Brown and M. Flanagan

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. 2 of 19 95 of the (County)(~~CITY~~)(~~TOWN~~)(~~VILLAGE~~) of Chenango was duly passed by the Board of Supervisors on March 13 19 95 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 April 27 19 95, in accordance with the applicable provisions of law. (Name of Legislative Body) (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.)

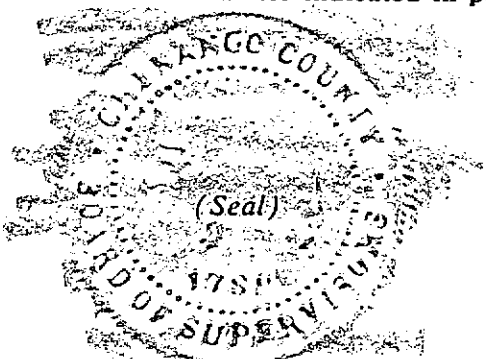
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 1, above.



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

Date: April 27, 1995

(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 28th Day
of April 1995 at 11:12
o'clock A. M., in Liber 1 of
Local Laws
at Page 195 and examined
Mary C. Weidman Clerk

Richard W. Bush
Signature
County Attorney
Title
County
~~City~~ of Chenango
~~Town~~
~~Village~~
Date: April 27, 1995