

(Please Use this Form for Filing your 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~~ ofYATES.....
~~Town~~
~~Village~~

Local Law No.1..... of the year 19 90.....

A local law of Yates county authorizing the Acquisition by the County of certain real...
property and the conveyance of such real ^(insert title) property to the Yates County Industrial
Development Agency for use as an incubator facility

Be it enacted by theYates County Legislature..... of the
(Name of Legislative Body)

County
~~City~~ ofYATES..... as follows:
~~Town~~
~~Village~~

SECTION 1. Legislative Findings and Purposes. The County Legislature finds that the level of unemployment within the County is unacceptably high and that there is an on-going need to attract new industry and commerce to the County to provide employment opportunities. Consistent with well established state policy to promote the economic welfare and prosperity of the residents of the State for the purpose of preventing unemployment and economic deterioration, it is hereby declared to be the policy of the County to promote the economic welfare and prosperity of its residents and hereby determined that activities in furtherance of such purpose, including (i) the acquisition of real property, or any interest in real property, together with any buildings or structures on such real property, suitable as a site for the manufacturing, processing, storage or warehousing of goods for industrial or technological research or for other industrial or commercial use for industrial incubator space and research and development facilities, (ii) the conveyance of real property, together with any buildings or structures thereon, suitable for such purposes, with or without monetary consideration, to the Yates County Industrial Development Agency, (iii) the acquisition, construction, reconstruction, operation and maintenance of infrastructure improvements including roads, sewage collection and disposal facilities, solid waste collection and disposal facilities, water supply facilities, drainage facilities and such other facilities as may be

(If additional space is needed, please attach sheets of the same size as this and number each)

necessary to serve any such real property, and (iv) participation in federal programs designed to promote economic development, constitute proper county purposes essential to the public interest for which county funds may be expended and county personnel and property applied.

SECTION 2. In furtherance of the purposes stated in Section 1 of this local law and notwithstanding the provisions of Section 215 of the County Law relating to the acquisition or sale of real property by a county and procedures with respect thereto, or any other general, special or local law to the contrary, the County is hereby authorized to acquire all that lot or parcel of land with the buildings and improvements thereon situate, lying and being in the Town of Jerusalem, County of Yates, State of New York, and more particularly bounded on the east by New York State Route 54A, on the north by Elmwood Cemetery, on the west by lands of Pielow and on the south by Sand Hill Road and presently owned by Con-Way Eastern Express, Inc. The County is hereby further authorized to convey the above-described real property and the buildings and improvements thereon to the Yates County Industrial Development Agency for such consideration and upon such other terms and conditions as the County Legislature shall determine to be in the public interest provided that any such conveyance shall contain an appropriate covenant or covenants to restrict the use of such property to industrial or commercial purposes for a period not to exceed twenty-five (25) years.

SECTION 3. In the exercise of its powers pursuant to this local law, the County shall not contract indebtedness on behalf of any individual or

private corporation or association or give or loan its credit to any individual, or public or private corporation in violation of section one of article eight or any other provision of the constitution of the State of New York.

SECTION 4. If any section, clause or provision of this local law shall be found by a court of competent jurisdiction to be unconstitutional or ineffective in whole or in part, to the extent that it is not unconstitutional or ineffective such section, clause or provision shall be valid and effective and no other section, clause or provision of this local law shall on account thereof be deemed invalid or ineffective.

SECTION 5. This local law is adopted subject to permissive referendum and the County Clerk is hereby authorized and directed to immediately publish this local law, together with a notice that the local law was adopted subject to permissive referendum, in the ^{Chronicle Express &} Dundee Observer which is hereby designated as the official newspaper for the purposes hereof.

SECTION 6. This local law shall take effect forty-five (45) days after its enactment provided that, if a valid petition for referendum be filed within such forty-five (45) day period, this local law shall not take effect unless and until it is approved by a majority of the electors of the County voting thereon.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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. ... 1 ... of 19 90...
County
of the ~~City~~ of ... Yates ... was duly passed by the ... Yates County Legislature ...
~~Town~~ (Name of Legislative Body)
~~Village~~
on ... February 12, ... 19 ... 90... in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

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

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19
County
of the City of was duly passed by the
Town (Name of Legislative Body)
Village
on 19 not disapproved and was approved by the
repassed after disapproval Elective Chief Executive Officer*
on 19 Such local law was subject to a permissive referendum and
no valid petition requesting such referendum was filed as of 19,
in accordance with the applicable provisions of law.

*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 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 §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 above.

Martha K Lalli

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

Date: March 30, 1990

(Seal)

(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 YATES

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.

Paul L. Justice
.....
Signature

COUNTY ATTORNEY
.....
Title

Date: March 30, 1990

County
City of YATES
Town
Village