

***Local Law Filing***

*New York State Department of State  
162 Washington Avenue, Albany, NY 12231*

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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 of Lewis**

Local Law No. 2 of the Year 2002

A Local Law known as "A Local Law Authorizing The Private, Negotiated Sale of A Certain Parcel of Real Property Owned by The County of Lewis".

(Insert Title)

Be it enacted by the **Lewis County Board of Legislators** of the **County of Lewis**, as follows:

**SECTION I. TITLE.**

This Local Law shall be known as the "County of Lewis Local Law Authorizing The Private, Negotiated Sale Of A Certain Parcel of Real Property Owned By The County Of Lewis".

**SECTION II. PURPOSE.**

The purpose of this Local Law is to authorize a private, negotiated sale of the subject real property in order to obtain a more advantageous disposition of the real property than could be obtained by sale to the highest bidder.

**SECTION III. AUTHORITY.**

This Local Law is enacted pursuant to the authority of New York State Constitution Article IX, Section 2 (c)(i) and (ii)(3) and Municipal Home Rule Section 10(1)(i) and (ii)(3) which permit local governments, including Counties, to adopt and amend local laws, not inconsistent with the provisions of the Constitution or any general State Law, relating to its property, affairs or government and the transaction of its business. The method of sale of County real property falls within the property, affairs, or government of the County. With respect to the subject real property only, this Local Law supercedes the requirement of County Law Section 215(5) that County-owned real property may be sold only to the highest bidder after public advertisement.

SECTION IV. AUTHORIZED SALE.

This Local Law hereby authorizes the sale of Town of Leyden Tax Parcel No. 393.00-01-13.000 acquired by the County of Lewis from the Town of Leyden by a Quit Claim Deed dated September 25, 1998 and recorded in the Lewis County Clerk's Office on October 5, 1998 in Book 629 of Deeds at Page 249 to Unlimited Collision & Customs for the sum of \$12,500.00. The real property is described in the aforementioned deed as follows:

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the Town of Leyden, County of Lewis, and State of New York, assessed on the tax roll of the Town of Leyden in the year 1993 to

BREEN, JACK L. & BRENDA L.

and bounded and described on such tax roll from the description furnished pursuant to law thereof as set forth in the notices of sale prepared therefrom and duly published pursuant to law, as follows:

BREEN, Jack L. & Brenda L. Town of Leyden. Tax Map No. 393.00-01-13.000  
E. Side Hwy 12. 21.80 more or less.

SECTION V. SEPARABILITY.

An adjudication of the invalidity of any provision of this Local Law shall not affect the validity of the remaining provisions of it.

SECTION VI. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law..

(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 200\_, of the County of Lewis was duly passed by the Lewis County Board of Legislators on \_\_\_\_\_, in accordance with the applicable provisions of law.

**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.

**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.

**4. (Subject to a 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 2002, of the County of Lewis was duly passed by the Lewis County Board of Legislators on December 20, 2001. Such Local Law was subject to permissive referendum and no valid petition requesting such referendum was filed as of February 4, 2002, in accordance with the applicable provisions of law.

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\* 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 the 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.

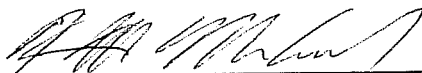
  
\_\_\_\_\_  
Clerk of the County Legislative Body, City, Town or Village  
Clerk or officer designated by local legislative body  
TERESA L. KENEALY, CLERK  
Date: February 4, 2002

(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 LEWIS**

**I, the undersigned, hereby certify that the foregoing Local Law contains the correct test and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.**

  
\_\_\_\_\_  
Signature - Kevin M. McArdle  
LEWIS COUNTY ATTORNEY  
County of Lewis  
Date: February 5, 2002