

(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

Niagara

~~TOWN~~

~~VILLAGE~~

Local Law No. 1 of the year 2005

A local law Authorizing the Sale of County Property Hereinafter Described  
(Insert Title)  
to Waterford Estates Condominium

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

County

~~CITY~~

of

Niagara

~~TOWN~~

~~VILLAGE~~

as follows:

**A LOCAL LAW AUTHORIZING THE SALE OF  
COUNTY PROPERTY HEREINAFTER DESCRIBED  
TO WATERFORD ESTATES CONDOMINIUM**

1. That, in as much as the property hereinafter described is no longer necessary for public use and the sale of said property will have no significant environmental impact on the area, the County of Niagara be allowed to sell said property to Waterford Estates Condominium for a price of \$4,218.00, said price being the fair market value of said property as determined by an appraisal done for the benefit of the County of Niagara.

2. That it is in the best interest of the County of Niagara to sell said property at a private sale without the requirement of public bidding.

3. That said sale will be for a fair and adequate consideration, as indicated by the appraisal provided to the County of Niagara and subject to final approval by the Niagara County Legislature.

4. That the Chairman of the Niagara County Legislature be, and hereby is, authorized to execute all documents necessary to effectuate such sale, including, but not limited to, contracts of sale and deeds, subject to the approval of the County Attorney.

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

5. That the property to be sold is described as follows:

Commencing at a point which is the southeast corner of a "Map of Survey of Rochester, Lockport and Buffalo Railway Right-of-Way for Carlisle Gardens Association" made by Peter R. Saggese, L.S., and filed on the 14<sup>th</sup> day of October 1959 in the Niagara County Clerk's Office in Map Book 63 at page 1586, now in Book 40 of Microfilmed Maps at page 3988. Said point also being the northwest corner of a Condominium Plat of "Waterford Place" prepared by McIntosh and McIntosh, P.C., Consulting Engineers, Land Surveyors, Planners, and filed in the Niagara County Clerk's Office on the 30<sup>th</sup> day of May 1997 in Book 57 of Microfilmed Maps at Pages 5706 and 5707; said point also being 66.05 feet southerly, measured from the southeast corner of Lot 123 of the "Revised Map of Carlisle Gardens", Lockport, New York, owned by the Bewley Realty and Building Corporation made by Julius F. Frehsee, C.E., and filed in the Niagara County Clerk's Office on the 24<sup>th</sup> day of June 1925 under Map Cover 512, now in Book 21 of Microfilmed Maps at pages 2001 thru 2005;

Thence westerly (at an exterior angle of 91°.06) along the south line of Rochester, Lockport and Buffalo Railway Right-of-Way for Carlisle Gardens Association a distance of 75.02 feet.

Thence southerly along a line parallel to the east line of Lot 9, section 11, township 14, range 6 (Liber 372-page 50) a distance of 698.44 feet to a point then westerly at an interior angle of 90° a distance of 75 feet to a point in east line of Lot 9, section 11, township 14, range 6.

Thence northerly along the east line of Lot 9, section 11, township 14, range 6 to a distance of 700 feet to the point and place of beginning.

Subject to all Liens and Easements of record.

This Parcel is subject to any easements of record and to any and all unwritten rights of adjoining.

This Parcel is further subjected to certain conditions as follows:

1. There can be no appurtenances on the property; no permanent structures are to be erected on the property and the non-permanent structures shall be removed upon 60 days notice to the grantee by the grantor.
2. That the grantee has requested to close the property without a property search. That the Grantee is made aware that there are certain sewer and water utility easements on the property and that the property is been taken subject thereto.

(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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. 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 \_\_\_\_\_ 20\_\_\_\_, 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. \_\_\_\_\_<sup>4</sup> of 20<sup>05</sup> of the (County)(~~City~~)(~~Town~~)(~~Village~~) of \_\_\_\_\_<sup>Niagara</sup> was duly passed by the \_\_\_\_\_<sup>Niagara County Legislature</sup> on Sept. 20<sup>2005</sup>, and was (approved)(~~not approved~~)(~~repassed after disapproval~~) by the \_\_\_\_\_<sup>Chairman of the Legislature</sup> on Sept. 20<sup>2005</sup>. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of <sup>November 7</sup> 20<sup>05</sup>, 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 chairperson 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 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 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.

*[Handwritten Signature: J. P. Carney]*  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

Date: November 10, 2005

(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 Niagara

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.

*[Handwritten Signature]*  
Signature  
Assistant Niagara County Attorney  
Title

County  
~~CITY~~ of Niagara  
~~TOWN~~  
~~VILLAGE~~

Date: November 9, 2005