

(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 Plattsburgh

~~TOWN~~

~~VILLAGE~~

Local Law No. 10 of the year 2004.

A local law AMENDING THE BOUNDARIES OF ECONOMIC DEVELOPMENT ZONE SUB-ZONES 2 & 8
(Insert Title)

Be it enacted by the Common Council of the
(Name of Legislative Body)

~~COUNTY~~

City of Plattsburgh

~~TOWN~~

as follows:

Section 1. Findings. The common council finds:

- a. That by resolution of the Common Council adopted February 19, 1988, this Common Council authorized filing an application for the designation of an Economic Development Zone encompassing certain lands in the City of Plattsburgh referred to a Sub-zone 1.
- b. That the New York State Department of Economic Development approved the proposed Economic Development Zone effective June 22, 1988.
- c. That by resolutions and local laws adopted on August 16, 1990, November 18, 1993, October 19, 1997, December 13, 2001 and December 12, 2001, the Common Council of the City of Plattsburgh that amended, defined and established Sub-zones 1, 2, 3, 4, 5, 6, 7, and 8.
- d. That said amendments were approved by the New York State Department of Economic Development on October 31, 1990, January 25, 1994, November 17, 1997, December 17, 2001 and December 16, 2002 respectively.
- e. It is necessary and desirable to amend the boundaries of EDZ Sub-zone 2 to include additional lands and to establish and define the boundaries EDZ Sub-zone 8.

Section 2. Application. The Mayor is authorized to file an application with the New York State Department of Economic Development for approval of amendments to the boundaries of EDZ Sub-zones 2 and 8 as are more particularly described in Schedule A of this Local Law.

Section 3. Amendment of Sub-zone Boundaries: Subject to approval by the New York State Department of Economic Development, the boundaries of EDZ Sub-zones 2 and 8 are hereby amended as set forth in the annexed Schedule A.

Section 4. Effective Date. This Local Law shall take effect upon the approval of the Mayor, approval of the EDZ boundary changes effected by this local law by the New York State Department of Economic Development, and filing in the Office of the Secretary of State. The written approval of the New York State Department of Economic Development shall, upon receipt, be annexed to this local law as Schedule B and filed among the public records of the City of Plattsburgh and with the New York Secretary of State.

SCHEDULE A

EDZ Sub-zone 2

The boundary of EDZ Sub-zone 2 is amended to include lands now or formerly owned by Cedar Log Homes Inc. (which lands were formerly located within the boundaries of EDZ Sub zone 8) which are described as follows:

Beginning at a point, said point being on the assumed Easterly bounds of the Old Military Turnpike at the Northwesterly corner of other lands of Cedar Knoll Log Homes, Inc. and the Southerly corner of the herein described parcel; Thence along the Easterly bounds of said Old Military Turnpike, N 32° 04' 55" W, 450.00' to a point, said point being the Southwesterly corner of lands now or formerly the County of Clinton Industrial Development Agency and the Northwesterly corner of the herein described parcel; Thence along the Southerly boundary of said County of Clinton Industrial Development Agency, and the Northerly boundary of the herein described parcel, S 80° 38' 14" E, 526.31' to a point, said point being an iron rod found at the Southeasterly corner of said County of Clinton Industrial Development Agency, the Southwesterly corner of other lands of the County of Clinton Industrial Development Agency, the Northerly corner of other lands of Cedar Knoll Log Homes, Inc. and the Northeasterly corner of the herein described parcel; Thence along the boundary between lands of Cedar Knoll Log Homes, Inc. and other lands of Cedar Knoll Log Homes, Inc. the following two (2) courses and distances, (1) S 40° 40' 49" W, 290.34' to a point and (2) S 34° 44' 01" W, 127.63' to the point or place of beginning. Containing 2.15 acres.

EDZ Sub-zone 8

A new EDZ Sub-zone #8 is hereby established and described as follows:

Beginning at a point, said point being a point at the intersection of the Northwesterly corner of the herein described parcel with the approximate face of wall of the existing Champlain Valley Physicians Hospital building; Thence through the lands of Champlain Valley Physicians Hospital the following four (4) courses and distances, (1) N 51° 07' 41" E, 94.02' to a point, said point being the Northerly corner of the herein described parcel, (2) S 37° 44' 28" E, 190.04' to a point, said point being the Easterly corner of the herein described parcel, (3) S 51° 07' 41" W, 216.04' to a point, said point being the Southerly corner of the herein described parcel, and (4) N 37° 44' 28" W, 38.46' to a point, said point being the intersection of the herein described parcel with the approximate face wall of the existing Champlain Valley Physicians Hospital building; Thence along the approximate face wall of the existing Champlain Valley Physicians Hospital building the following six (6) courses and distances, (1) N 50° 39' 44" E, 5.52' to a point, (2) N 39° 15' 40" W, 41.54' to a point, (3) N 51° 07' 41" E, 151.87' to a point, (4) N 38° 39' 52" W, 73.70' to a point, (5) S 51° 08' 58" E, 33.07' to a point, and (6) N 37° 44' 28" W, 36.30' to the point or place of beginning. Containing 0.57 acres.

Hereby intending to establish new boundaries for EDZ Sub-zone 8 in as much as the lands formerly encompassed within EDZ Sub-zone 8 have been included within the boundaries of EDZ Sub-zone 2, as set forth in the preceding section.

SCHEDULE B

Charles A. Gargano
Chairman
and Chief Executive Officer

January 21, 2005

Ms. Rosemarie Schoonmaker
Zone Coordinator
City of Plattsburgh Empire Zone
41 City Hall Place
Plattsburgh, New York 12901

Dear Ms. Schoonmaker:

I am writing in response to your request to revise the boundary to the City of Plattsburgh Empire Zone.

Please be advised that your request for the revision to the City of Plattsburgh Empire Zone boundary is approved pursuant to Section 969(c) of the General Municipal Law. The approval is effective as of December 6, 2004. A description of the zone boundaries can be found in the Common Council of the City of Plattsburgh Local Law No. P-10 of 2004.

Good luck in your expansion of this zone. If we may be of further assistance, please do not hesitate to contact us.

Sincerely,



Charles A. Gargano

cc: William G. Osta

(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. _____ 10 _____ of 2004... of the ~~(County)~~(City)~~(Town)~~~~(Village)~~ of Plattsburgh was duly passed by the Common Council on 28 October 2004, and was (approved)~~(not approved)~~~~(repassed after~~ ~~disapproval)~~ by the Mayor and was deemed duly adopted on 4 November 2004, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(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.
(Name of Legislative Body)
(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. _____ 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 subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, 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 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.)

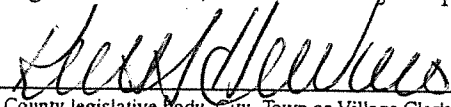
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____²____, above.



Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body Keith A. Herkalo

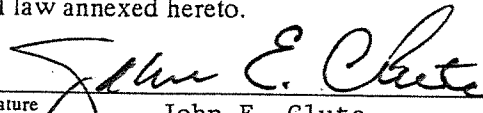
(Seal)

Date: _____ 4 November 2004 _____

(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 Clinton

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.



Signature John E. Clute

Title Corporation Counsel

~~County~~
City of Plattsburgh
~~Town~~
~~Village~~

Date: _____ 18 February 2005 _____