

County of Tioga

Local Law No. 4 of the Year 1997.

A LOCAL LAW AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE TIOGA COUNTY LEGISLATURE TO THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR DESIGNATION OF AN AREA WITHIN TIOGA COUNTY AS AN ECONOMIC DEVELOPMENT ZONE

Be it Enacted by the Legislature of the County of Tioga as follows:

PREAMBLE:

It is the public policy of the State of New York to offer incentives through the creation of economic development zones that will promote the development of new business and the expansion of existing business within economically impoverished areas, and to do so without inducing the relocation of business investment from other areas of the State. It is also the public policy of the State of New York to achieve its goals through the mutual cooperation of all levels of State and local governments and the business community. To this end, it is the intent of this Local Law to authorize the Chairman of the Tioga County Legislature to submit an application for Economic Development Zone Designation pursuant to General Municipal Law Section 960.

SECTION 1:

The Chairman of the Tioga County Legislature be and hereby is authorized and directed to submit an application to the New York State Department of Economic Development for designation of an area within Tioga County, as described in Section 2 herein, as an Economic Development Zone.

SECTION 2:

The boundaries of the Economic Development Zone are described as follows:

ECONOMIC DEVELOPMENT ZONE BOUNDARY DELINEATION

The Economic Development Zone encompasses a total of 1,272± acres, in three (3) non-contiguous areas within Tioga County.

Area 1

BOUNDARY LINE DESCRIPTION FOR AREA 1

BEGINNING at the intersection of the centerlines of Main Street and Central Avenue in the Village of Owego;

Thence northerly along the centerline of Central Avenue to the intersection of centerline of Fox Street;

Thence westerly along centerline of Fox Street to its intersection with the westerly line of McMaster Street;

Thence northerly along the westerly line of McMaster Street to a point and that point being the northeast corner of parcel number 128.08-1-1.20;

Thence westerly along the northerly line of that parcel to its northwest corner;

Thence southerly along that parcels westerly boundary line and continuing in a straight line along the westerly boundary line of parcel 128.08-1-1.10 and crossing Elm Street to a point along the northerly boundary line of State Route 17C;

Thence westerly along the northerly boundary line of Route 17C to the southwest corner of parcel 128.11-1-7;

Thence northerly along that parcel's westerly boundary to its northwest corner;

Thence easterly along that parcel's northerly boundary to its northeast corner;

Thence southeasterly along that parcel's easterly boundary to where it meets the northwest corner of parcel 128.11-1-8.2;

Thence easterly along the northern boundary of 128.11-1-2 to the southwest corner of 128.11-1-10;

Thence northerly on the westerly boundary of parcel 128.11-1-10 and continuing along the westerly boundary of 128.07-2-13 to its northwest corner;

Thence easterly crossing Elm Street in a straight line to the southeast corner of parcel 128.07-2-11;

Thence northerly to the northeast corner of that parcel;

Thence westerly along the southerly boundary of parcel 128.07-2-13 to the southwest corner of that parcel;

Thence northerly following that property line to the southern boundary of parcel 128.07-2-7;

Thence westerly along the southern boundary of that parcel and parcel 128.07-2-16 to its southwest corner;

Thence northerly along the property line of that parcel and parcels 128.07-2-7 and 128.07-2-3 to the southerly boundary of the Conrail railroad tracks;

Thence westerly along the Conrail railroad tracks to the western property line of parcel 128.07-1-2;

Thence northerly along that property line to the southerly boundary of West Avenue;

Thence easterly along the southerly boundary of West Avenue to the northwest corner of parcel 117.19-3-8;

Thence southerly along the western boundary of that parcel to its southwest corner;

Thence easterly along the northern property line of parcel 128.07-1-2 to the northwest corner of parcel 128.07-1-14;

Thence along the northerly line of that parcel to the southwest corner of parcel 128.07-1-13;

Thence northeasterly to the southerly boundary Delphine Street following the western property line of parcel 128.07-1-13;

Thence easterly crossing Delphine Street to a point being the southwest corner of parcel 117.19-3-29.10;

Thence northerly along the western boundary of parcel 117.19-3-29.10, crossing West Avenue and continuing northerly to the westerly boundary of McMaster Street;

Thence northerly along the westerly boundary of McMaster Street to the intersection of the westerly boundary of NYS Route 38;

Thence northerly along the western edge of NYS Route 38 to the intersection with the easterly boundary of the Tioga County Industrial Development Agency (Agency);

Thence westerly and northerly along the Agency property into the Town of Owego and continuing to its intersection with the easterly bank of the Owego Creek;

Thence northerly along the easterly bank to the northwest corner of parcel 106.00-1-6;

Thence easterly along the northerly boundary of that parcel to the center line of Park Settlement Road;

Thence southerly along the center line of Park Settlement Road to its intersection with the easterly boundary of the property of the Agency;

Thence southerly along the Agency property to the northwest corner of parcel 106.00-1-19.11;

Thence easterly and then southerly along the boundary of that parcel to the southwest corner of parcel 106.12-1-4;

Thence easterly along the southern boundary of that parcel to NYS Route 38;

Thence continuing across NYS Route 38 to the northwest corner of parcel 106.00-1-23 and continuing along the northern boundary of that parcel to its northeast corner;

Thence southerly along the eastern boundary of that parcel;

Thence westerly along the southern boundary of that parcel to the westerly boundary of NYS Route 38;

Thence southerly along the westerly boundary of NYS Route 38 and into the Village of Owego along the westerly bounds of North Avenue to its intersection with the northerly boundary of Browns Lane;

Thence southeast to a point and that point being the intersection of the centerlines of Brown's lane and North Avenue;

Thence southerly along the centerline of North Avenue to a point representing the intersection of the centerline of North Avenue and an extension of the northern property line of parcel 117.20-1-40;

Thence easterly along the property line of parcel 117.20-1-40 to where it meets the southern boundary line of parcel 117.20-2-2.1 and continuing easterly to the westerly bounds of East Avenue;

Thence crossing East Avenue to the intersection of the easterly boundary of East Avenue with the southerly boundary of Prospect Street;

Thence easterly along southerly bounds of Prospect Street to the intersection of the easterly line of Bell Street;

Thence southerly along the easterly line Bell Street to the northwest corner parcel 118.17-2-16;

Thence easterly along the northern property lines of parcels 118.17-2-16, 118.17-39, 118.17-2-38, 118.17-2-37, 118.17-2-36, 118.17-2-35, 118.17-2-34 and 118.17-2-26 to the centerline of Forsyth Street;

Thence southerly along the centerline of Forsyth Street to its intersection with the centerline of East Main Street;

Thence easterly along the centerline of East Main Street to its intersection with the centerline of Fulton Street;

Thence southerly along the centerline of Fulton Street to its intersection with the centerline of Conrail Railroad tracks;

Thence crossing over the Conrail Railroad tracks to a point representing the eastern corner of parcel 129.05-4-15 and the northerly boundary line of Fifth Avenue;

Thence along a straight line crossing into the Town of Owego, to the southwest corner of parcel 129.11-1-28;

Thence northerly along that property line to the southwest corner of parcel 129.07-1-13;

Thence easterly along the northern boundary of parcel 129.11-1-28 to the northwest corner of parcel 129.07-1-16.20 and that corner being on the southerly boundary of Taylor Road;

Thence crossing Taylor Road to the southwest corner of parcel 129.07-1-2;

Thence along the western, northern and eastern property lines of that parcel continuing to the southerly line of Taylor Road;

Thence easterly along southerly line of Taylor Road and thence Bodle Hill Road to the northeast corner of parcel 129.00-2-1;

Thence southerly along the eastern boundary of that parcel to a point approximately 2,600 feet south of Bodle Hill Road to its intersection with the centerline of a private road known as Lower Tower View Drive;

Thence along the centerline of Lower Tower View Drive to its intersection with the centerline of a private road known as Lakeview Parkway;

Thence southwestwardly to the southwest corner of that parcel along the Conrail Railroad tracks;

Thence crossing the tracks southerly to the northeast corner of parcel 129.11-1-16;

Thence southerly along the eastern boundary of that parcel to its southeast corner;

Thence southerly across NYS Route 17C to the northwest corner of parcel 129.00-2-29.10;

Thence northerly along that parcel to its northeast corner;

Thence southerly along the eastern boundaries of parcels 129.00-1-29.30 and 129.00-2-40 to the northerly bank of the Susquehanna River;

Thence westerly along the northerly bank of the Susquehanna River and crossing into the Village of Owego to the western property line of parcel 129.05-4-22;

Thence northerly along the western boundary of that parcel to the centerline of NYS Route 17C;

Thence westerly along the centerline of Route 17C to its intersection with the centerline of East Front Street;

Thence northerly along the centerline of East Front Street to its intersection with the northerly line of the Conrail Railroad tracks;

Thence westerly along the northerly line of the Conrail Railroad tracks to the intersection of an extension of the westerly bounds of Green Street;

Thence southerly along the westerly bounds of Green Street to its intersection with the northerly line of East Temple Street;

Thence westerly along the northerly line of East Temple Street and Temple Street to its intersection with the centerline of Church Street;

Thence southerly along the centerline of Church Street and crossing Front Street and continuing along the eastern boundary to the southeast corner of parcel 128.08-6-42 along the northerly bank of the Susquehanna River;

Thence westerly along the northerly bank of the Susquehanna River to the southwest corner of parcel 128.08-6-62;

Thence northerly along easterly edge of Court Street to the southern property line of the Village of Owego parking lot, parcel 128.08-6-74;

Thence following east and north along the property line of the Village of Owego parking lot to the eastern property line of the Tioga County parcel 128.08-6-75;

Thence northerly and westerly along the eastern boundaries of parcels 128.08-6-76 and 128.08-6-77 to the northeast corner of 128.08-6-77;

Thence southerly and easterly along the northern boundary of that parcel to the easterly boundary of Court Street;

Thence northerly along the easterly boundary of Court Street to its intersection with the centerline of Main Street;

Thence westerly to the point of origin at the intersection of the centerlines of Main Street and Central Avenue.

BOUNDARY LINE DESCRIPTION FOR AREA 2

BEGINNING in the Village of Waverly at the intersection of the centerlines of the Conrail Railroad tracks and Fulton Street;

Thence southerly along the centerline of Fulton Street to its intersection with the centerline of Erie Street;

Thence westerly and southerly along Erie Street and southerly along a 40 foot right of way and the centerline of Pennsylvania Avenue to the Pennsylvania State boundary;

Thence easterly along the Pennsylvania State boundary to the centerline of Spaulding Street Extension;

Thence northerly along the eastern line of Spaulding Street Extension to the southerly line of Conrail;

Thence easterly along the southerly line of Conrail into the Town of Barton and continuing to the northwest corner of parcel 167.17-1-3;

Thence southerly along the western property line of that parcel to NYS Route 17;

Thence easterly along the north side of NYS Route 17 to the intersection of the southeast corner of parcel 167.17-1-5;

Thence northerly along the east property line of that parcel continuing across the Conrail Railroad tracks to its intersection with the northerly line of Broad Street Extension;

Thence westerly along the northerly line of Broad Street Extension and thereafter along the Village of Waverly/Town of Barton boundary line northerly and westerly to the westerly line of William Donnelly Parkway;

Thence crossing William Donnelly Parkway to a point, that being the southeast corner of parcel number 167.09-1-18;

Thence northerly along the western boundary of that parcel to southerly line of East Chemung Street at the northeast corner of parcel number 167.09-1-18;

Thence westerly along the northern line of that parcel to its intersection with the westerly line of Conrail;

Thence southerly along the westerly Conrail line to the northerly line of Broad Street Extension;

Thence westerly along the northerly line of Broad Street Extension to the eastern property line of parcel 167.17-1-11;

Thence northerly along the eastern property line of that parcel to its northwest corner;

Thence westerly along northern property line of that parcel to the easterly line of Cayuta Street.

Thence crossing Cayuta Street to the southeast corner of parcel 166.20-1-21;

Thence westerly along the southern property line of that parcel to a point that intersects with the eastern boundary of parcel 166.20-1-24;

Thence along the northern and eastern property line of that parcel to the southwest corner of parcel 166.20-1-30;

Thence northerly along the western property line of that parcel to its intersection with the southerly line of Providence Street;

Thence easterly along the southerly line of Providence Street to the northeast corner of parcel 166.20-1-44;

Thence southerly along the eastern boundary of that parcel to the northwest corner of parcel 166.20-1-36;

Thence easterly along the northern boundary that parcel to its northeast corner;

Thence southerly along the eastern boundary of that parcel to the centerline of Howard Street;

Thence easterly along centerline of Howard Street to its intersection with the westerly line of Hickey Street;

Thence southerly along westerly line of Hickey Street to the northeast corner of parcel 166.20-2-16.20;

Thence westerly along the northern property line of the parcels 166.20-2-16.20, 17, 18, 20, 21, 23.1 & 40 to the centerline of Spaulding Street;

Thence southerly along the centerline of Spaulding to its intersection with the centerline of Broad Street;

Thence westerly along the centerline of Broad Street to its intersection with the centerline of Pennsylvania Avenue;

Thence northerly along the centerline of Pennsylvania Avenue to its intersection with the centerline of Depumpo Lane;

Thence westerly along the centerline of Depumpo Lane to the westerly line of Park Avenue;

Thence westerly across Park Avenue to the northeast corner of parcel 166.19-3-55;

Thence westerly along the northern boundary of that parcel to the southeast corner of parcel 166.19-3-60;

Thence westerly along the southern boundary of that parcel to the centerline of Waverly Street;

Thence northerly along centerline of Waverly Street to its intersection with the southerly line of Elizabeth Street;

Thence westerly along the southerly line of Elizabeth Street to its intersection with the westerly line of Fulton Street;

Thence northerly along the westerly line of Fulton Street to the northwest corner of parcel 166.19-2-65;

Thence westerly along the northern boundary of that parcel to centerline of Clark Street;

Thence southerly along westerly line of Clark Street to its intersection with the centerline of Broad Street;

Thence westerly along the centerline of Broad Street to its intersection with the centerline of Loder Street;

Thence southerly along the westerly line of Loder Street to the centerline of Conrail;

Thence easterly along the centerline of Conrail to the place of origin at the intersection of the centerlines of Fulton Street and Conrail.

BOUNDARY LINE DESCRIPTION FOR AREA 3

Contains a 40± acre parcel of land in the Town of Owego which is bordered by Main Street on the north in the hamlet of Apalachin, tax parcel 153.12-1-10.

SECTION 3:

Ronald McEwen, Deputy Treasurer of Tioga County shall serve as the local Economic Development Zone Certifying Officer.

SECTION 4:

The composition of the local Economic Development Zone Administrative Board shall consist of a Chairman and five (5) members, each of whom shall be appointed by the Chairman of the Tioga County Legislature and confirmed by the Tioga County Legislature. The Chairman of said Board shall be the Director of Economic Development & Planning for the County of Tioga. The members of the Economic Development Zone Board shall serve for an initial term ending December 31, 1999. The members of the Board shall thereafter serve for a term of two (2) years.

SECTION 5:

The application for said designation of Tioga County as an Economic Development Zone shall be completed in a manner and form as specified in Article 18-B of the General Municipal Law of the State of New York.

SECTION 6:

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order have been rendered.

SECTION 7:

This Local Law shall take effect upon filing with the Secretary of State.

(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. 4 of 1997 of the (County) of Tioga was duly passed by the Tioga County Legislature on September 8, 1997, 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 on 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 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 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 subject to permissive referendum and no valid petition requesting such referendum was filed as of , 19 , in accordance with the applicable provisions of law.

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 , become operative.

*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.

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.

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

(Seal)

Date:

(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 Tioga

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

Title

County of Tioga

City

Town

Village

Date: