

**County of Tioga**

**Local Law No. 2 of the Year 2003.**

**A LOCAL LAW AUTHORIZING THE SUBMISSION FOR APPROVAL OF A BOUNDARY AMENDMENT TO THE TIOGA COUNTY EMPIRE ZONE, FORMERLY ECONOMIC DEVELOPMENT ZONE, AMENDING LOCAL LAW NO. 4 OF THE YEAR 1997, 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, AS AMENDED BY LOCAL LAW NO. 2 OF THE YEAR 2001, AS AMENDED BY LOCAL LAW NO. 7 OF THE YEAR 2001 AND AS AMENDED BY LOCAL LAW NO. 1 OF 2003.**

**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 empire 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 Chair of the Tioga County Legislature to submit a boundary amendment of the Tioga County Empire Zone pursuant to General Municipal Law Section 969.**

**SECTION 1:**

- a. By Local Law No. 4 of the Year 1997 this Legislature authorized the designation of an Economic Development Zone relative to certain lands in Tioga County; and**
- b. By Local Law No. 2 of the Year 2001, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and**
- c. By Local Law No. 7 of the Year 2001, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and**

- d. By Local Law No. 1 of the Year 2003, Local Law No. 4 of the Year 1997 was amended to expand the approved Economic Development Zone; and
- e. This Legislature desires by this Local Law to authorize an application to revise the Economic Development Zone, now called an Empire Zone, to include additional acres throughout Tioga County.
- f. This Legislature hereby requests the Commissioner of the New York State Department of Economic Development to revise the boundaries of the Empire Zone in accordance with this Local Law.

**SECTION 2:**

The Chair of the Tioga County Legislature be and hereby is authorized and directed to submit a boundary amendment to the New York State Department of Economic Development for amendment of an area within Tioga County, as described in Section 3 herein, as the Tioga County Empire Zone.

**SECTION 3:**

The boundaries of the Tioga County Empire Zone set forth in Local Law No. 4 of the year 1997 as amended by Local Law No. 2 of the Year 2001, as amended by Local Law No. 7 of the Year 2001 and as amended by Local Law No. 1 of the Year 2003 are hereby amended to include the following described premises:

**BOUNDARY LINE DESCRIPTION FOR ZONE AREA**

**TOWN OF SPENCER**

**FISHER SETTLEMENT ROAD PARCEL:**

**ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Spencer, County of Tioga, State of New York, being bounded and described as follows:**

**BEGINNING at a point in the centerline of Fisher Settlement Road, 652 feet +/- northeasterly along said centerline from the intersection of New York State Route 34 & 96;**

**RUNNING THENCE South 45° 38' 47" East 33.00 feet to a pin found with a Williams' cap on the southeasterly line of Fisher Settlement Road, said point being the true point of beginning, said point marks the northwesterly corner of lands reputedly of Roorda, as described in Liber 521 of Deeds at Page 286;**

**RUNNING THENCE North 43° 29' 21" East 279.30 feet along the southeasterly line of Fisher Settlement Road to a point;**

**RUNNING THENCE South 45° 38' 47" East 364.16 feet through lands of Grand Vail Real Estate to a point;**

**RUNNING THENCE South 65° 17' 02" West 299.00 feet through lands of Grand Vail Real Estate to a pin found with a Williams' cap, said point being the southeast corner of lands of Roorda;**

**RUNNING THENCE North 45° 38' 47" West 253.13 feet along lands of said Roorda to the true point of beginning. Containing 1.979 acres of land.**

**For a more particular description thereof, reference is hereby made to a survey map entitled "Easement Map Showing Proposed Empire Zone Parcel for Grandvail Real Estate, Town of Spencer, Tioga County, New York," dated March 4, 2003, prepared by T.G. Miller, P.C., Engineers and Surveyors, Ithaca, New York.**

**SECTION 4:**

**Except as amended in Section 3 herein, Local Law 4 of the Year 1997, as amended by Local Law No. 2 of the Year 2001, as amended by Local Law No. 7 of the year 2001 and as amended by Local Law No. 1 of the Year 2003 shall in all other respects remain in full force and effect.**

**SECTION 5:**

**This Local Law shall take effect upon filing in the Office of the Secretary of State in accordance with the requirements of 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. 2 of 2003 of the (County) of Tioga was duly passed by the Tioga County Legislature on March 20, 2003 , 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 20 of the (County) (City) (Town) (Village) of was duly passed by the on , 20 , and was (approved)(not disapproved)(repassed after disapproval) by the and was deemed duly adopted on , 20 , 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 20 of the (County)(City)(Town)(Village) of was duly passed by the on , 20 , and was (approved)(not disapproved)(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.

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 disapproved)(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.

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 , become operative.

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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 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.

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 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: March 20, 2003

(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  
David M. Dutko  
Title County Attorney  
County of Tioga  
City  
Town  
Village

Date: March 20, 2003