

(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
~~TOWN~~
~~VILLAGE~~

PLATTSBURGH

Local Law No. 1 of the year 2000

A local law DEFINING THE TERM "ALLEY" AND PROCEDURES FOR AUTHORIZING CONVEYANCE
(Insert Title) OF THE CITY'S INTEREST IN ANY ALLEY IDENTIFIED AND
PROPOSED THEREFORE

Be it enacted by the COMMON COUNCIL of the
(Name of Legislative Body)

~~COUNTY~~
City
~~TOWN~~
~~VILLAGE~~

PLATTSBURGH

of as follows:

1. Findings: The Common Council finds:
 - a. There are alleys in the City that run between the rear yards of lots and have not been used for several years by the public or the property owners whose lands adjoin such alleys.
 - b. In some cases the ownership of these alleys is uncertain. In other cases title to the alleys has passed to the City through the tax foreclosure process.
 - c. The alleys have no economic value and are of no use or benefit to the public.
 - d. The sale or transfer of the alleys to adjoining owners will allow the adjoining owners to improve and maintain the alleys.
2. Definitions: The term "alley" means a parcel of land that lies between the rear yards of lots that front on different streets and typically connects two public streets.
3. Authorization to Convey the City's Interest. The Common Council may, by resolution, authorize the conveyance of the City's interest in alleys to persons who own land adjoining such alleys on the following terms and conditions and in accordance with the following procedure:
 1. The owners of land adjoining an alley may request that the Common Council convey the City's interest in that part of the alley that adjoins their property.
 2. The City Engineer shall advise the Common Council whether such alley is needed for any present or foreseeable public improvements or utilities.
 3. The City Building Inspector shall inspect the alley and advise the Common Council whether there is any visible

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

evidence whether that part of the alley requested to be conveyed has been regularly used for ingress and egress to other lots that adjoin the alley.

4. Before the Common Council authorizes a conveyance of the City's interest it shall:
 - a. Find that such alley is not needed for public improvements or utilities.
 - b. Find that the part requested to be conveyed is not used by another lot owner who adjoins such alley as a means of ingress or egress to his property.
 - c. Send notice by certified mail to the person(s) who are listed on the City's real property tax roll as the owners of property adjoining the parcel requested to be conveyed. Such notice shall advise such owner(s) of the requested conveyance and that they have 30 days from the date of such notice to request a conveyance of that part of the alley that adjoins their property.
 - d. When two or more persons who own property on the opposite sides of an alley request a conveyance, the Common Council may authorize a conveyance from the centerline of the alley to such owners.
 - e. If the opposite and adjoining owner does not request a conveyance, the Common Council may convey its interest in the alley to the rear property line of the opposite and adjoining owner.

5. Terms of Conveyance. The City shall convey its interest on the following terms:
 1. The conveyance shall be authorized by a majority vote of a quorum of the Common Council.
 2. The property shall be conveyed for one dollar, unless the Common Council determines it shall be sold for a higher price in its authorizing resolution.
 3. Conveyance shall be made by quit claim deed.
 4. The City shall not provide a title or tax search for the property conveyed.
 5. The grantee shall be required to pay or reimburse the cost of attorneys fees incurred by the City in making the conveyance.
 6. The deed may reserve to the City any easements it deems necessary or desirable.

(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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, 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. 1 of ~~19~~ 2000 of the (~~County~~)(City)(~~Town~~)(~~Village~~) of PLATTSBURGH was duly passed by the COMMON COUNCIL on 6 APRIL ~~19~~ 2000 and was (approved)(~~not disapproved~~)(~~repassed after disapproval~~) by the MAYOR and was deemed duly adopted on 7 APR ~~19~~ 2000 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 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.
(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 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.
(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 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.)

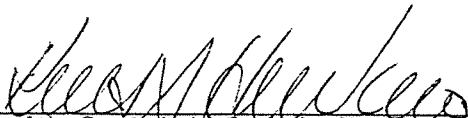
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 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 2, above.



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


Date: 17 APRIL 2000

(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 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

CORPORATION COUNSEL

Title

~~XXXXXX~~

City of PLATTSBURGH

~~XXXXXX~~

~~XXXXXX~~

Date: 20 April 2000