

Local Law Filing

(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
(Select one:)

of NEWPORT

Local Law No. 1 of the year 2012

A local law amending the Newport Zoning Ordinance and Zoning Map to rezone in its entirety
(Insert Title)
a certain parcel of land approximately 12.444 acres described on the Herkimer County
Tax Maps as Parcel #094.1-2-15.1

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of NEWPORT as follows:

SEE ATTACHED.

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

(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. 1 of 2012 of the ~~(County)(City)(Town)(Village)~~ of NEWPORT was duly passed by the NEWPORT TOWN BOARD on March 12, 2012, 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.
(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____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

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 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 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 Oneida

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
Town Attorney

Title

~~County~~
~~City~~ of NEWPORT
Town _____
~~Village~~

Date: March ____ 2012

LOCAL LAW NO. 1 FOR 2012
Town of Newport, Herkimer County, New York

The Town of Newport Zoning Ordinance enacted June 12, 1995 and the related Zoning Map adopted June 12, 1995 is hereby amended as follows:

The Town of Newport Zoning Map is hereby amended by rezoning in its entirety a certain parcel of land approximately 12.444 acres located on the westerly side of Old State Road in the Town of Newport, described on the Herkimer County Tax Map as Parcel #094.1-2-15.1, from its current zoned designation "R-1 Residential" to "B-P Planned Business District" as defined in Section 13 of the Town Zoning Ordinance. Said parcel of land being the same premises conveyed by Humpf Sanitation, LLC to Todd Cable Construction, LLC by Warranty Deed dated September 16, 2010, a metes and bounds description of which is attached hereto as "Schedule A".

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Newport, County of Herkimer and State of New York, being more particularly described as follows:

Beginning at a point on the centerline of Old State Road, C. R. 200, at it's intersection with the division line between lands conveyed to Jack S. Humpf and Margaret E. Humpf by deed recorded in Liber 608 of Deeds at page 206 on the southeast and the lands conveyed to Theresa R. Humpf by deed recorded in Liber 794 of Deeds at Page 109 on the northwest; running thence S 52° 56' 29" E, along said centerline, a distance of 236.89 feet to a point; thence S 50° 53' 21" E, continuing along said centerline, a distance of 74.87 feet to it's intersection with the division line between said lands of Humpf on the northwest and lands conveyed to Carson V. Marko by deed recorded in Liber 888 of Deeds at page 538 on the southeast; thence along said division line, between lands of Humpf and Marko, the following (4) courses and distances:

1) S. 42° 36' 46" W, passing through a capped iron rod 24.7 feet from said centerline, for a total distance of 78.28 feet to a capped iron rod;

2) S. 19° 22' 45" W, a distance of 82.75 feet to a capped iron rod;

3) S 11° 50' 44" E, a distance of 92.24 feet to a capped iron rod;

4) S 41° 10' 19" E, a distance of 164.70 feet to a capped iron rod at the intersection of said division line with the division line between said lands of Humpf on the northwest and lands conveyed to Chaloner S. and Laura S. Waterbury by deed recorded in Liber 579 of Deeds at Page 274 on the southeast; thence S 46° 21' 10" W, along said division line, a distance of 180.36 feet to a capped iron rod at the intersection of said division line with the division line between lands conveyed to Jack S. and Margaret E. Humpf by deed recorded in Liber 792 of Deeds at page 244 on the southwest and said lands of Waterbury on the northeast; thence S 41° 45' 01" E, along said division line, a distance of 386.39 feet to a capped iron rod at the intersection of said division line, with the division line between said lands of Humpf on the northwest and lands conveyed to Brian E. and Lucille Bunce by deed recorded in Liber 589 of Deeds at Page 741 on the southeast; thence S 41° 44' 41" W, along said division line, a distance of 393.11 feet to a capped iron rod at the intersection of said division line with the division line between said lands of Humpf and the northeast and lands conveyed to Michael D. and Nicole M. Moody by deed recorded in Liber 890 of Deeds at page 598 on the southwest; thence N 45° 36' 35" W, along said division line, a distance of 891.26 feet to a capped iron rod; thence N 37° 30' 30" E, through said lands

of Humpf, passing through (2) capped iron rods, a distance of 542.16 feet to a capped iron rod at the southwest corner of said lands conveyed to Theresa R. Humpf, thence N 37° 30' 30" E, along said division line between lands of Jack and Margaret Humpf on the southeast and Theresa R. Humpf on the northwest, a distance of 260.57 feet to the point of beginning, containing 12,444 acres of land, more or less.

Subject to an easement for highway purposes over a strip of 24.75 feet in width lying southwesterly of and adjoining the centerline of Old State Road, C. R. 200.

Subject to all easements and restrictions of record.

Being the same premises conveyed to Humpf Sanitation LLC by Warranty Deed dated March 19, 2004 and recorded in the Herkimer County Clerk's Office as Book of Deeds 936, Page 165.