New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.state.ny.us/corps

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 Diana

Local Law No. 1 **of the year 20** 13

A local law to accomplish annexation of certain property in the Town of Diana known as tax parcel 013.00-03-13.000 and consider the same as part of the Village of Harrisville
(Insert Title)

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

☐ County ☐ City ☒ Town ☐ Village
(Select one:)

of Diana **as follows:**

Article 1. - Statement of Authority. The Town Board of the Town of Diana, pursuant to the authority granted it under Section 706 of the General Municipal Law and Sections 10 and 20 of the Municipal Home Rule Law, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Diana hereby finds that certain portions of water facilities owned by the Village of Harrisville, including the pump station, are located outside of the Town limits in the Town of Diana, but do physically adjoin the Village. It is the purpose of this local law to allow annexation of the same to the Village and more specifically Town of Diana Map Parcel Number 013.00-03-13.000.

Article 3. - Enactment. The Town Board of the Town of Diana hereby enacts by means of this local law the annexation of certain properly located in the Town of Diana, County of Lewis, known as Town of Diana Tax Map Parcel Number 013.00-03-13.000 and consider the same to be part of the Village of Harrisville. A description of such parcel is as follows:

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

ALL THAT TRACT, OR PARCEL OF LAND, situate in the Town of Diana, County of Lewis and State of New York, and described as follows: Beginning at a point in center of Cole road (so called); thence S. 43½° E. 11 chs. 7 lks. to the corner of Lake, B. Hense and G. Weeks; thence S. 50° W. along line of G. Weeks 6 chs., 48 lks. to a corner standing on N'ly bank of flow of water system of Harrisville, a cedar post; thence S. 74° W. 1 ch. 50 lks. to a stone corner on S'ly bank of south creek; thence N. 53¼° W. 2 chs., 70 lks. to the N.E'ly corner of Heyscus; thence along the Heyscue N'ly line N. 77° W. 22 links to the corner of Dunlop in the Hyescue line; thence N. 11° E. 3 chs., 23 lks. along E'ly line of Dunlop to the N.E'ly corner of Dunlop's in the S'ly line of Lake; thence along the S'ly line of Lake and N'ly line of Dunlop N. 80½° W. 5 chs., 77 lks. to center of the aforesaid Cole road; thence along center of same N.E'ly 9 chs., 70 lks. to place of beginning, containing 5-73/100 acres of land.

Article 4. - Severability. Should any sections or provisions of this local law be declared invalid, such decision shall not affect the validity of the remaining portions of this local law.

Article 5. - Effective Date. This local law shall become effective after filing in the office of the Secretary of State of the State of New York.

(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 20 13 of the (~~County~~)(~~City~~)(Town)(~~Village~~) of Diana
Town Board
(Name of Legislative Body) on AUGUST 13 20 13, 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 approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on 20[ ][ ], in accordance w ith 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 approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(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)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
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.

* 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.

Janet Taylor
~~Clerk of the county legislative body, City, Town, Village Clerk or officer designated by local legislative body~~ Diana Town Clerk

(Seal)

Date: August 13,2013

(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 JEFFERSON

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 Lawrence D. Hasseler
Town Attorney
Title

~~County~~
~~City~~
Town of Diana
~~Village~~

Date: 08/13/2013

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001

ANDREW M. CUOMO
GOVERNOR

CESAR A. PERALES
SECRETARY OF STATE

September 13, 2013

Janet Taylor
Town Clerk
PO Box 460
Harrisville NY 13645

RE: Town of Diana, Local Law 1 2013, filed on September 13, 2013

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 474-2755

TOWN OF DIANA

Councilman
Raymond Gregory
Joseph Langs

David E. Parow – Supervisor
Darrell Seymour - HWY Superintendent
(315) 543-2315
Janet Taylor – Town Clerk
PO Box 460
Harrisville, NY ~ 13648
(315) 543-0030
FAX 543-7526

Councilman
Ricky Taylor
James Durkish

COPY

State Records and Law Bureau
Department of State
41 State Street
Albany, NY 12231

Enclosed please find for filing Town of Diana Local Law #1 – 2013 to accomplish annexation of certain property in the Town of Diana known as tax parcel #013.00-03-13.000 and consider the same as part of the Village of Harrisville.

As always, if you have any questions or concerns please feel free to contact me.

Respectfully Yours,

Janet Taylor
Diana Town Clerk

CONBOY, McKAY, BACHMAN & KENDALL, LLP
307 State Street
Carthage, NY 13619

Telephone: (315) 493-0030
Fax: (315) 493-7549

CMB&K Memo

FROM: Larry Hasseler DATE: 07/16/13

TO: Janet

Subject: Local law re annexation
Your Reference No.:
Our Matter No.: 21802.0000

Please find with this memo, a copy of proposed local law no. 1 of the year 2013.

Thanks.

e-mail 07/25
Public Hearing
Aug 13
6:45 ✓
* annexation
run ~~July 29~~