

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(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~~
~~XXXXXX~~

of Erie

Local Law No. --- 3 of the year 2001.

A local law relating to the leasing of Surplus Space in an area
(Insert Title)
located adjacent to the lobby of the Erie County
Medical Center, 462 Grider Street, Buffalo, New York.

Be it enacted by the Erie County Legislature of the
(Name of Legislative Body)

County

~~City~~
~~Town~~
~~Village~~
~~XXXXXX~~

of Erie as follows:

Section 1. The Erie County Legislature hereby finds and determines that certain vacant ground floor space comprising approximately 4,200 square feet in an area adjacent to the lobby of the Erie County Medical Center at 462 Grider Street, Buffalo, New York is not presently needed for County governmental purposes, and that such space can best be utilized to the County's and the Erie County Medical Center's benefit by permitting the Erie County Medical Center to lease said property for a fair and reasonable consideration to the Benderson Development Company, Inc. at 570 Delaware Avenue, Buffalo, New York 14202. Said property would be used as a retail center for the benefit of the Erie County Medical Center's patients, families, visitors and employees.

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

Section 2. The County of Erie, on behalf of the Erie County Medical Center, may enter into a Lease Agreement for such surplus space with the Benderson Development Company, Inc. upon such terms and conditions as may be set forth in a resolution enacted by the Erie County Legislature, including, however, but not limited to the conditions set forth in Section 3 hereafter.

Section 3. The County of Erie, on behalf of the Erie County Medical Center, shall enter into a Lease Agreement which shall provide for the lease of said premises for an initial term of ten years with one successive ten-year renewal term. In determining the fair consideration to be charged for said surplus space, among the factors to be considered shall be the cost to the Benderson Development Company, Inc. of renovating such space for retail use, the fair rental value of similar property, and the benefit to be derived by the County from the retail services and conveniences that will be provided to the Erie County Medical Center's patients, families, visitors and employees.

Section 4. Effective date. This Local Law shall be effective immediately upon filing with the Secretary of State pursuant with Section 27 of the New York 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. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, 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. 3 of 2001 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on June 21 2001, and was (approved)(~~not approved~~)(repassed after ~~disapproval~~) by the Erie County Executive and was deemed duly adopted on July 5 2001, 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____. 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.
(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 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.)

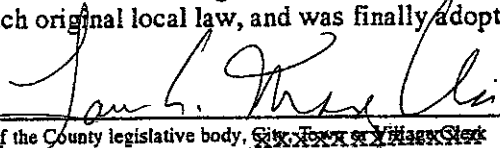
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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 _____ 2____, above.



Clerk of the County legislative body, City, Town or Village Clerk
~~or other person authorized by local legislation to do so~~
Laurie A. Manzella

Date: July 6, 2001

(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 ERIE

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

Brian D. White, Assistant County Attorney

Title

County

~~City~~

~~Town~~

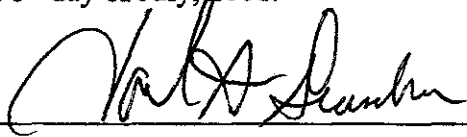
~~Village~~

of

Erie

Date: 7/6/01

A Public Hearing was held on the foregoing Local Law Intro. No. 6-2001 on Thursday, July 5, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 5th day of July, 2001.



A Public Hearing was held on the foregoing Local Law Intro. No. 6-2001 on Thursday, July 5, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby DISAPPROVE and VETO said Local Law this 5th day of July, 2001.
