

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 of PLATTSBURGH  
Town  
Village

Local Law No. 1 of the year 1990

A local law AUTHORIZING THE PRIVATE SALE OF SURPLUS PROPERTY OWNED BY THE CITY OF PLATTSBURGH. (Insert title)

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

County  
City of PLATTSBURGH  
Town  
Village as follows:

1. The Common Council finds that the sale of real property at public auction to the highest bidder is not conducive to obtaining the highest price for said property because: the City does not employ experienced real estate sales persons; sale of property at public auction to the highest bidder precludes the use of real estate brokers; the property to be sold is not likely to be advertised effectively; the buyers who are likely to attend such public auctions are experienced real estate investors who generally purchase property for subsequent development or resale and therefore are inclined to bid not more than a "wholesale" price for the property; the sale of property through licensed real estate brokers is more likely to result in a higher price for the property.

2. Real property that is owned by the City of Plattsburgh and is determined by resolution of the Common Council to be surplus property, is authorized to be sold and conveyed in accordance with the following procedures:

.1 The Mayor shall prepare a list of all licensed real estate brokers who maintain their principal place of business within the City of Plattsburgh. The names of such realtors shall be selected by blind draw to determine the order in which they shall appear on the list with the first name selected appearing first on the list.

.2 Property shall be listed with realtors in the order that their names appear on the list. Not more than one parcel shall be listed with the same realtor until all realtors have been given an opportunity to list the property.

.3 If there is a difference in the commissions charged by different realtors, the Mayor shall list the property with the realtor offering to sell for the lowest commission, provided that all realtors are first given an opportunity to match the lowest commission.

.4 The listing realtor shall provide the City with a comparative market analysis which contains evaluations of not less than 3 comparable properties.

.5 Neither the listing realtor, nor any sales associate, nor any relative or business associate of the realtor or sales associate shall be permitted to make an offer on the property.

.6 Listing agreements shall not be for more than 90 days.

.7 The terms of the listing agreement are subject to Common Council approval.

.8 Any offer to purchase that is submitted to the City may not be accepted without Common Council approval.

(If additional space is needed, please attach sheets of the same size as this and number each)

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 .....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body)  
Village  
on ..... 19 ..... in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer,\* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. ...1... of 19...90.  
County  
City  
of the Town of PLATTSBURGH ... was duly passed by the ..... COMMON COUNCIL ..... (Name of Legislative Body)  
Village  
on ..... APRIL 19 ..... 19 ..... 90 ~~not disapproved~~ and was approved by the ..... MAYOR .....  
~~repassed after disapproval~~ Elective Chief Executive Officer\*  
and was deemed duly adopted on APRIL 19 ..... 19 ..... 90, 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 19 .....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body)  
Village  
on ..... 19 ..... ~~not disapproved~~ and was approved by the .....  
~~repassed after disapproval~~ Elective Chief Executive Officer\*  
on ..... 19 ..... Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive ~~general~~ annual  
thereon at the special election held on ..... 19 ..... in accordance with the applicable  
provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19 .....  
County  
City  
of the Town of ..... was duly passed by the ..... (Name of Legislative Body)  
Village  
on ..... 19 ..... ~~not disapproved~~ and was approved by the .....  
~~repassed after disapproval~~ Elective Chief Executive Officer\*  
on ..... 19 ..... Such local law was subject to a permissive referendum and  
no valid petition requesting such referendum was filed as of ..... 19 .....  
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 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 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 §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.

*Jacqueline E. Lippa, Acting*  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

CITY CLERK

Date: APRIL 20, 1990

(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.

*John E. Cline*  
Signature  
CORPORATION COUNSEL  
Title

Date: APRIL 20, 1990

County  
City  
Town of ...PLATTSBURGH.....  
Village