

# 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 Yorktown

Local Law No. 10 of the year 2016

A local law to amend the Zoning Map of the Town of Yorktown.  
(Insert Title)

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

County  City  Town  Village  
(Select one:)

of Yorktown

as follows:

### Section I. Statement of Authority.

This Local Law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the provisions of the Statute of Local Governments, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

### Section II. The Zoning Map of the Town of Yorktown, New York as established under Chapter 300 of the Code of the Town of Yorktown is hereby amended as follows:

Portions of the following lots on the Tax Map of the Town of Yorktown are rezoned from R1-20 to R-3, as shown on Exhibit "A," and as further described by metes and bounds in Exhibit "B," both of which are annexed hereto and incorporated as if set forth in full herein: 15.15 - 1 - 22

### Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared

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

2A.

(Section III. cont'd.)

to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with the Local Law are hereby repealed.

Section V. Effective Date.

This Local Law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the 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. 10 of 2016 of the ~~(County)(City)(Town)(Village)~~ of Yorktown was duly passed by the Town Board on June 7, 2016, in accordance with the applicable *(Name of Legislative Body)* 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 \_\_\_\_\_ 2016, 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 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 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 \_\_\_\_\_ above.

*Debra L. Quast*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: June 10, 2016

(Seal)

EXHIBIT B

Section: 15.15  
Block: 1  
Lot: 22

All that certain plot, piece or parcel of land, and being in the Town of Yorktown, County of Westchester, bounded and described as follows:

BEGINNING at a point on the easterly side of Lexington Avenue, where the same is intersected by the mean centerline of a stone wall forming the dividing line between lands n/f of Lamando (Marrs Nursing Home) and the parcel herein being described and which point forms the southwesterly corner of Lot No. 12 of Block D as shown on map entitled "Map of Lakeland Park, Yorktown, Westchester Co., Mohegan Lake, NY," dated June 19, 1950 and prepared by Wilbur D. Lockwood, L.S. and filed in the Office of the Clerk of the County of Westchester, Division of Land Records April 6, 1953 as Map No. 7980;

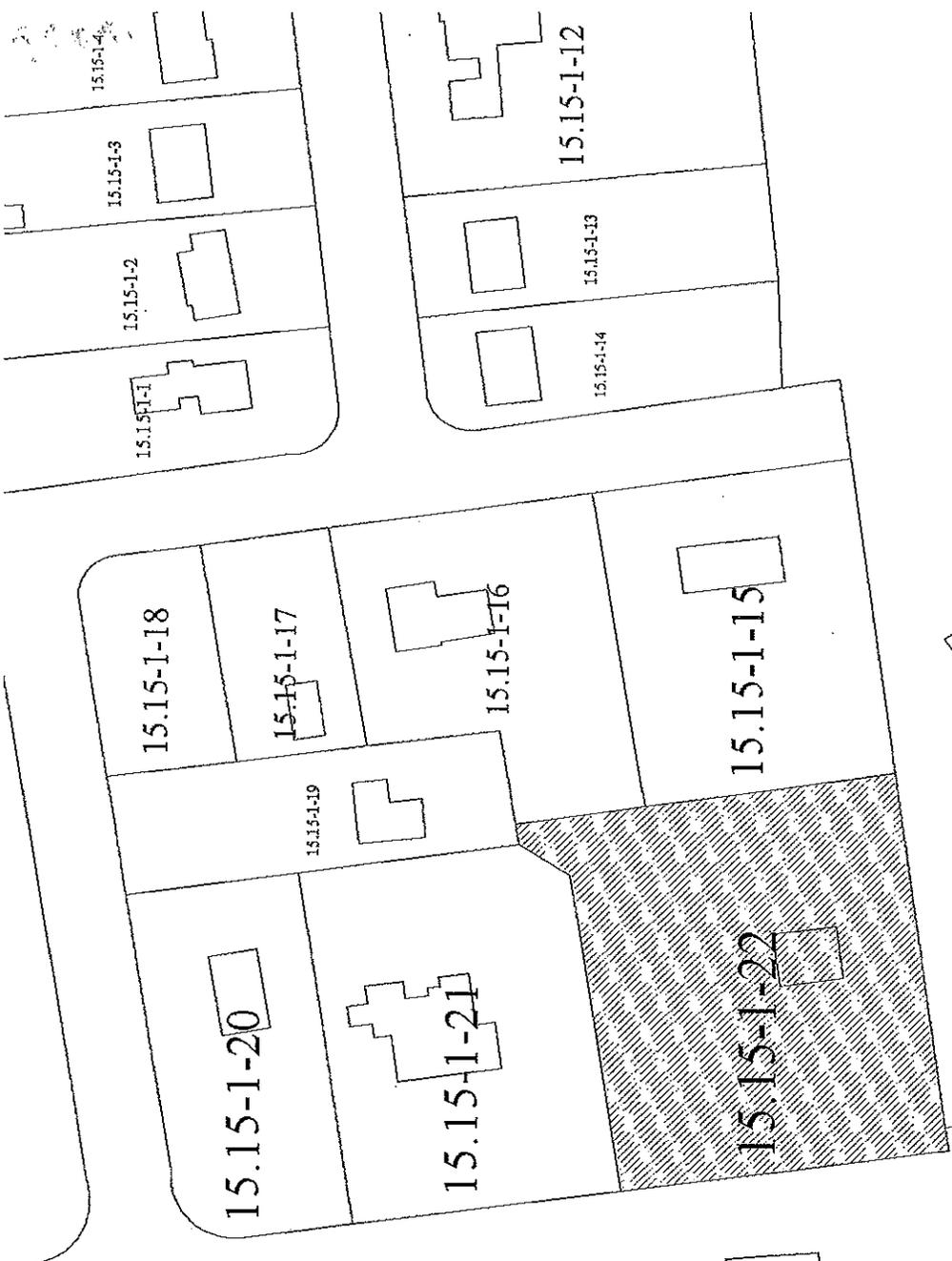
RUNNING THENCE from said point along the easterly side of Lexington Avenue, N-4-11-00 E, 200.00 feet to a point;

THENCE leaving the easterly side of Lexington Avenue and continuing through lot 10, Block D of said Map No. 7980 and along lands n/f of Mari, S-85-49-50-E 200.21 feet; N-40-21-50-E, 34.55 feet to the southwesterly corner of lot 13, Block D as shown on said Map No. 7980 and lands n/f of Ciccarella;

THENCE along the southerly side of said lot 13, Block D and lands n/f of Ciccarella, S-87-16-00-E, 14.97 feet to a point;

THENCE leaving the southerly boundary of said lot 13, Block D and lands n/f of Ciccarella and continuing along the westerly boundary of lots 1, 2 and 3 of Block D and lands n/f of Drimmor, S-3-44-00-W, 228.26 feet to a point along the mean centerline of a stone wall and lands n/f of Lamando (Marrs Nursing Home) aforementioned;

THENCE along same, N-85-49-50-W, 237.36 feet to the easterly side of Lexington Avenue and the point or place of BEGINNING.



# 15.15-1-23

