

MEMORANDUM

TO: Board of Directors, Buffalo Erie Niagara Land Improvement Corporation

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2017-30** Disposition of 121 Irwinwood

DATE: March 28, 2017

DISCUSSION:

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 121 Irwinwood Road, Village of Lancaster via the 2016 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in March 2017 at a price of \$72,900.

By Resolution #2017-13, the BENLIC Board of Directors approved the sale of 121 Irwinwood at their monthly Board of Directors Meeting occurring on March 29th, 2017. The originally approved offeror was unable to complete the property purchase soon thereafter. BENLIC relisted the property in May at the recommendation of the Real Estate-Subcommittee at a price of \$69,900.

BENLIC staff has reviewed all offers on the property including respective Property Purchase Applications. No improvements to the property have been made and is being sold under BENLIC's "Note & Mortgage" program. Therefore, there are no income limit requirements for potential buyers. The purpose of the proposed disposition is congruent with BENLIC's mission to return property to productive use.



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

Pursuant to the Property Disposition Guidelines of BENLIC, section 4.2(A), the Corporation may dispose of real property by negotiation. The following offers have been received:

Offeror	Value Offered	Comments
Kathleen Miller	\$77,036	Cash Offer. Will Renovate & Rent. 30 Day Close.
Equity Trust Company as Custodian FBO Robert Koerntgen	\$67,900	Cash Offer. Will Renovate & Resale. 30 Day Close.
Arcane Properties LLC	\$61,900	Cash Offer. Will Renovate & Resale. 30 Day Close.

BENLIC Investment	Estimated Cost of Repairs	Lien Value
< \$1,000	\$29,904.96	\$35,886

ACTION:

The Board of Directors is hereby requested to approve the following resolution:

RESOLVED, that Resolution #2017-13 and #2017-18 are hereby rescinded in their entirety, and be it further,

RESOLVED that the BENLIC Board of Directors authorizes the disposition of the property of 121 Irwinwood Road, Village of Lancaster, NY (SBL #115.07-1-17) in the amount of \$77,036 by an Agreement of Sale of Real Property with first priority to offeror, Kathleen Miller, and in so doing follows the proper procedure for disposal of real property by negotiation as described in the Property Disposition Guidelines of the Corporation; and be it further,

RESOLVED, that in the event that BENLIC and Ms. Miller and are unable to complete the sale of the property,- the BENLIC Board of Directors authorizes the disposition of the property of 121 Irwinwood Road, Village of Lancaster, NY (SBL# 115.07-1-17) in the amount equal to the listing price of \$69,900 by an Agreement of Sale with second priority to offeror Equity Trust Company as Custodian FBO Robert Koerntgen, without further Board approval, and in doing so follows the proper procedure for disposal of real property negotiation as described in the Property Disposition Guidelines of the Corporation; and be it further,

RESOLVED: that the disposition of the property include a Note and Mortgage held by BENLIC to ensure the development of the property in an amount equal to 120% of the work cost estimate prepared by BENLIC,\$35,886; and be it further,

RESOLVED, that the Executive Director of BENLIC, Jocelyn Gordon, and BENLIC legal counsel are authorized to execute documents and take any necessary actions to close on the sale of the above-referenced property.