

MEMORANDUM

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

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2018-36** Disposition of 41 Columbia, Town of West Seneca

DATE: May 24, 2018

DISCUSSION:

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 41 Columbia Parkway, Town of West Seneca via the 2017 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in April 2018 at a price of \$56,000. This property was selected for BENLIC in-house sales. BENLIC staff held property showings, collected offers, and fielded property inquiries as opposed to third-party realtors.



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.

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:

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BENLIC Investment	Estimated Cost of Repairs	Lien Value
\$952.65	\$39,750	\$32,595

Offeror	Offer Price	Offer Details :
Brian & Laura Piccillo (Operate as Rental)	\$58,000	Cash Offer. 30 Day Close. Operate 12 Rentals Within City of Buffalo.
E + R Horizons LLC. (Operate as Rental)	\$54,000	Cash Offer. 30 Day Close. Large Real Estate Holdings in Erie County.
Jason & Jessica Mitchell (Owner Occupant)	\$53,000 (\$3,000 Seller Concession)	203K Financing. Wish to Convert to Single Family. Will Need 203k Inspector to View Property. Veteran Family.
Fisayo Yomi-Odedyi (Owner Occupant)	Countered \$46,000 Original \$35,000	Cash Offer. Planned Investment of \$71,000. Parents Will Reside In One Unit + Rent Other. Immigrating from Canada.

BENLIC Real Estate Subcommittee Members have reviewed all offers and support a disposition by BENLIC Board of Director vote to Jason & Jessica Mitchell.

ACTION:

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

RESOLVED that the BENLIC Board of Directors authorizes the disposition of the property of 41 Columbia Parkway, NY (SBL#133.44-2-41) in the amount of \$53,000 by an Agreement of Sale of Real Property with first priority to offeror, Jason & Jessica Mitchell, 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 the disposition of the property include a Note and Mortgage held by BENLIC exclusive only to second priority offeror, Brian & Laura Piccillo, to ensure the development of the property in an amount equal to 82% of the work cost estimate prepared by BENLIC, \$32,595; and be it further,

RESOLVED, that in the event that BENLIC and Jason & Jessica Mitchell are unable to complete the sale of the property, the BENLIC Board of Directors authorizes the disposition of the property of 41 Columbia Parkway, NY (SBL#133.44-2-41) in the amount of \$58,000 by an Agreement of Sale with second priority to offeror Brian & Laura Piccillo, 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 Executive Director Jocelyn Gordon and BENLIC legal counsel are authorized to take any and all necessary actions and execute the necessary documents to close on the sale of the above-referenced property.