

MEMORANDUM

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

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2018-4** Disposition of 138 Toelsin Road, Town of Cheektowaga

DATE: February 15, 2018

DISCUSSION:

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 138 Toelsin Road, Town of Cheektowaga via the 2016 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in January 2018 at a price of \$64,900. 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

Offeror	Value Offered	Comments
RJM Homes LLC.	\$63,500	Cash Offer. 30 Day Close. Intends to Rehab + Resale. Has Rehab/Investment Experience. Planned Investment of \$53,854
Leo Nguyen	\$56,000	Cash Offer. 30 Day Close. Family Member to Occupy. Small Business Owner. Planned Investment of \$62,300. Will Accept Residency Restriction.

BENLIC Investment	Estimated Cost of Repairs	Lien Value
\$4,000	\$38,225	\$38,225

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 138 Toelsin Road, Town of Cheektowaga, NY (SBL#91.18-7-14) in the amount of \$63,500 by an Agreement of Sale of Real Property with first priority to offeror, RJM Homes LLC., 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 to ensure the development of the property in an amount equal to 100% of the work cost estimate prepared by BENLIC, \$38,225; and be it further,

RESOLVED, that in the event that BENLIC and RJM Homes LLC. are unable to complete the sale of the property, the BENLIC Board of Directors authorizes the disposition of the property of 138 Toelsin Road, Town of Cheektowaga, NY (SBL#91.18-7-14) in the amount of \$56,000 by an Agreement of Sale with second priority to offeror Leo Nguyen., 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.