

MEMORANDUM

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

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2018-51** Disposition of 228 Newman Street, Village of Springville

DATE: August 16, 2018

DISCUSSION:

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 228 Newman Street, Village of Springville via the 2017 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in July 2018 at a price of \$7,500.00. This property was selected for BENLIC in-house sales. BENLIC staff held all property showings, collected all offers, and fielded all property inquiries.



BENLIC staff has reviewed all offers on the property including respective Property Purchase Applications.

The property 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
Nominal	\$53,300.00	\$53,300.00

Offeror	Offer Price	Offer Details:
Garry Pecak/Michael Pinto Renovate and Resale	\$8,500.00	\$172,000.00 Available Funds. Proposed Investment of \$89,000.00 - Six Prior Home Renovations
Kevin Ploetz Renovate and Resale	\$8,500.00	\$100,000.00 Available Funds. Unknown Cost Estimate at Time of Application. Experience with Residential Renovations.

BENLIC Real Estate Subcommittee Members have reviewed all offers and support a disposition by BENLIC Board of Director vote to Garry Pecak and Michael Pinto with second priority to offeror Kevin Ploetz.

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 228 Newman Street, Village of Springville, NY (SBL# 336.09-1-14) in the amount of \$8,500.00 by an Agreement of Sale of Real Property with offeror, Garry Pecak and Michael Pinto, 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 Garry Pecak and Michael Pinto are unable to complete the sale of the property, the BENLIC Board of Directors authorizes the disposition of the property of 228 Newman Street, Village of Springville, NY (SBL# 336.09-1-14) in the amount of \$8,500.00 by an Agreement of Sale with second priority to offeror Kevin Ploetz, 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 within one (1) year from the date of closing and in an amount equal to \$53,300.00; 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.