

MEMORANDUM

TO: Board of Directors, Buffalo Erie Niagara Land Improvement Corporation
FROM: Brendan Mehaffy, Chairperson
SUBJECT: **Resolution #2020-27** Disposition of Multiple Vacant Lots to UDCDA
DATE: August 20th, 2020

DISCUSSION:

The Town of Cheektowaga Community Development Office has requested that 36 Peachrow Lane and 89 Gardenvale Drive be disposed to the University District Community Development Association (UDCDA) for affordable housing construction. The Town had expressed interest in acquiring both lots for community development related projects at the time of BENLIC acquisition. Contracts between the Town of Cheektowaga and UDCDA have been executed for the construction of two new homes at 89 Gardenvale and 36 Peachrow Ln. These are CHDO projects utilizing the Town's HUD HOME funding.

The UDCDA will own the lots throughout the construction and sale of each home. BENLIC Staff and the Town of Cheektowaga have proposed a \$3,000/per lot disposition value. Additionally, the Town has agreed to cover a total of \$791.00 of holding costs incurred during by BENLIC during its time of ownership thus bringing the total proposed purchase price for both vacant lots to \$6,791.00. This value, while below market value, enables the Town of Cheektowaga to maximize HUD HOME investment dollars towards construction costs while keeping the overall project within budget.

- 36 Peachrow Lane (SBL #91.06-11-32) - \$3,000.00
- 89 Gardenvale Avenue (SBL #91.06-14-19) - \$3,791.00

BENLIC Costs
\$791.00

BENLIC Real Estate Subcommittee Members have reviewed the proposed disposition and support the sale of the properties to the Town of Cheektowaga.

Pursuant to the Property Disposition Guidelines of BENLIC, section 4.2(A), the Corporation may dispose of real property by negotiation.

ACTION:

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

RESOLVED, that Resolution #2018-29 is hereby rescinded in its entirety; and be it further,

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

RESOLVED that the BENLIC Board of Directors authorizes the disposition of the property of 36 Peachrow Lane, Town of Cheektowaga, NY (SBL #91.06-11-32) in the amount of \$3,000.00 by an Agreement of Sale of Real Property with offeror University District Community Development Association 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 in an amount equal to the difference between the sale price and the fair market value of the Property at the time of sale, \$11,000.00; to ensure the development of the property; and be it further,

RESOLVED that the BENLIC Board of Directors authorizes the disposition of the property of 89 Gardenvale Avenue, Town of Cheektowaga, NY (SBL #91.06-14-19) in the amount of \$3,791.00 by an Agreement of Sale of Real Property with offeror University District Community Development Association 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 in an amount equal to the difference between the sale price and the fair market value of the Property at the time of sale, \$10,209.00; to ensure the development of the property; 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 properties.

Resolution 2020-27

Buffalo Erie Niagara Land Improvement Corporation Board of Directors

RESOLUTION TO AUTHORIZE THE DISPOSITION OF 36 PEACHROW LAND AND 89 GARDENVALE DRIVE, TOWN OF CHEEKTOWAGA

Moved:

Second:

	Yea	Nay	Abstain	Absent
Brendan Mehaffy	[]	[]	[]	[]
Michael A. Siragusa	[]	[]	[]	[]
Frank E. Krakowski	[]	[]	[]	[]
William Reece	[]	[]	[]	[]
Scott Bylewski	[]	[]	[]	[]
Timothy A. Ball	[]	[]	[]	[]
James Comerford, Jr.	[]	[]	[]	[]
Donna J. Estrich	[]	[]	[]	[]
Oluwole "OJ" McFoy	[]	[]	[]	[]
Thomas R. Hersey	[]	[]	[]	[]
Amanda Mays	[]	[]	[]	[]