

# BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

## MEMORANDUM

TO: Board of Directors, Buffalo Erie Niagara Land Improvement Corporation  
FROM: Maria R. Whyte, Chairperson  
SUBJECT: Requests by Municipalities to Foreclose on Properties  
DATE: July 19, 2013

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As the Buffalo Erie Niagara Land Improvement Corporation has worked to identify potential properties to acquire, the Town of Cheektowaga and the Village of Angola, which have been active participants in the Working Group, have been approached by buyers interested in specific vacant and tax-delinquent properties in their communities. These properties are foreclosure eligible but are not in the upcoming Erie County *in rem* auction slated for October 2, 2013. The next Erie County auction will not take place until the fall of 2014 and the interested parties have indicated a desire to purchase these properties as expeditiously as possible. Pursuant to the Land Bank Act, the Erie County Legislature may transfer the tax liens to the BENLIC, which can then foreclose on the properties. This would allow BENLIC to negotiate a sale of the property to the interested buyers quicker than if the County were to foreclose on it and sell it at auction in October 2014. Furthermore, acquisition and sale of these properties by BENLIC is congruent with BENLIC's primary mission of improving important commercial corridors and getting tax-delinquent, vacant properties back into productive use.

### ACTION

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

RESOLVED, for purposes of BENLIC's 2013 Pilot Project with regard to the below listed properties, BENLIC hereby suspends section II(4)(iii) of its rules and procedures; and be it further

RESOLVED, that pending authorizing resolutions from each municipality that includes the municipality covering the foreclosure costs, as well as maintenance during the time period when BENLIC holds title to the properties, BENLIC resolves to request that the Erie County Legislature authorize the County Director of Real Property Tax Services, to sell the tax certificates on:

59 North Main Street, Angola, New York – SBL 235-20-1-8, Years 1999 to 2012  
44A Windwood Court, Cheektowaga, New York – SBL 91.14-1-14, Years 2010 to 2012  
3048 William Street, Cheektowaga, New York – SBL 113.16-1-2, Years 2004 to 2012

for \$1.00 each in consideration in accord with the provisions of the Erie County Tax Act; and be it further

RESOLVED that upon transfer of the tax certificates to BENLIC, BENLIC is hereby authorized to initiate foreclosure proceedings on the following three properties:

59 North Main Street, Angola, New York – SBL 235-20-1-8  
44A Windwood Court, Cheektowaga, New York – SBL 91.14-1-14  
3048 William Street, Cheektowaga, New York – SBL 113.16-1-2

*FINAL – ADOPTED JULY 19, 2013*