

MEMORANDUM

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

FROM: Brendan Mehaffy, Chairperson

SUBJECT: **Resolution #2018- 83** Disposition of 699 S. Huth, Town of Cheektowaga

DATE: December 20, 2018

DISCUSSION:

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 699 South Huth Avenue, Town of Cheektowaga via donation from the National Community Stabilization Trust (NCST). BENLIC utilized \$60,000 in rehab-specific grant funds through the *LISC Rehabilitation Grant Program*. Through OAG settlements with Bank of America, properties acquired through the NCST are eligible to receive renovation funds upon satisfactory completion of the program. Properties under this program are income restricted to a low/moderate income buyer. BENLIC listed the property for sale in November 2018 at a price of \$99,900. Qualified offers must make no more than 120% the Erie County Area Median Income (AMI) adjusted for household size.



BENLIC staff has reviewed the offers including respective Property Purchase Applications and Homebuyer Applications. The purpose of the proposed disposition is congruent with BENLIC's mission to return property to productive use.

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

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:

LISC Funded Rehab Cost: \$60,000.00

BENLIC Investment: \$72,391.00

Offeror	Value Offered	Type	Close Date
Jason Allen Jr.	\$110,250	SONYMA-M+T	2/15/19
Michael Driskell	\$111,000-\$6,000 Concessions \$105,000 BENLIC Net	FHA-PM	1/19/18

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 699 S. Huth Road, Town of Cheektowaga, NY (SBL # 91.07-6-21) in the amount of \$110,250.00, by an Agreement of Sale with offeror Jason Allen JR., 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 in the event BENLIC and Jason Allen Jr. are unable to complete the sale of the property, the BENLIC Board of Directors authorizes the disposition of the property of 699 S. Huth Road, Town of Cheektowaga, NY (SBL # 91.07-6-21) in the amount of \$111,000.00/\$105,000 net to BENLIC by an Agreement of Sale with second priority to offeror Michael Driskell, 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 property includes a Restrictive Covenant that shall run with the land for a period of 5 years from the date of recording with required affordability standards that residents shall have incomes at 120% or below of the Area Median Income (AMI) as calculated by the United States Department of Housing and Urban development (HUD) and adjusted for family size.

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.