

A meeting of the Board of Directors of the Greater Syracuse Property Development Corporation ("GSPDC") was convened in public session in the third floor conference room of the Central New York Philanthropy Center located at 431 East Fayette Street Syracuse, New York 13202 on October 16, 2018 at 8:30 a.m.

The meeting was called to order by the Chairman and, upon roll being called, the following directors of the GSPDC were:

PRESENT:

Vito Sciscioli, Chair
James Corbett, Vice Chair
Julie Cerio, Secretary
Daniel Barnaba, Treasurer
El-Java Abdul-Qadir

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Katelyn Wright	Executive Director
John P. Sidd, Esq.	GSPDC Counsel

The following resolution was offered by Jim Corbett, seconded by El Java Abdul Qadir, to wit:

Resolution No.: 27 of 2018

**RESOLUTION AUTHORIZING THE
NONCOMPETITIVE SALE OF REAL PROPERTIES**

WHEREAS, New York Not-for-Profit Corporation Law Section 1609(d) authorizes the GSPDC to convey, exchange, sell, or transfer any of its interests in, upon or to real property; and

WHEREAS, New York Not-for-Profit Corporation Law Section 1605(i)(5) requires that a sale of real property be approved a majority vote of the Board of Directors; and

WHEREAS, New York Not-for-Profit Corporation Law Section 1609(f) permits the board of directors to delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all other related documents pertaining to the conveyance of real property by the land bank; and

WHEREAS, Section 4(e) of the GSPDC's Disposition of Real and Personal Property Policy (the "Property Disposition Policy") sets forth the following methods by

which the GSDPC is permitted to dispose of its real property: negotiated sale, request for proposals, auction, and noncompetitive sale; and

WHEREAS, Section 4(e)(iv) of the Property Disposition Policy authorizes the GSPDC to sell property to a buyer without first undertaking other methods of disposition when it determines that a benefit to the community will be had by authorizing such sale without competitive procedures for reasons consistent with the GSPDC's mission and purpose and upon a demonstration that the buyer is uniquely qualified to own, develop or otherwise return the property to productive use; and

WHEREAS, all disposals of GSPDC property must be made to qualified buyers pursuant to Section 5 of the Property Disposition Policy; and

WHEREAS, the GSPDC owns certain parcels of real property situate in the County of Onondaga, State of New York and more particularly identified on the Property Sale Information Sheet attached hereto as Schedule A (the "Properties"); and

WHEREAS, the individuals or entities identified on the Property Sale Information Sheet as the buyers (the "Buyers") submitted an offer to purchase the Properties for the prices set forth therein; and

WHEREAS, the Board of Directors has determined that a benefit to the community will be had by selling the Properties to the Buyers without competitive procedures for the reasons identified in the Property Sale Information Sheet which are consistent with the GSPDC's mission and purpose; and

WHEREAS, the Board of Directors has also determined that the Buyers are uniquely qualified to return the Properties to productive use for the reasons identified in the Property Sale Information Sheet; and

WHEREAS, the Buyers are qualified buyers pursuant to Section 5 of the Property Disposition Policy; and

WHEREAS, pursuant to Section 4(e)(iv) of the Property Disposition Policy, the GSDPC is therefore permitted to sell the Properties to the Buyers without first undertaking other methods of disposition and without competitive procedures; and

WHEREAS, the GSPDC desires to sell the Properties to the Buyers identified on the Property Sale Information Sheet at the prices set forth therein; and

WHEREAS, if noted on the Property Sale Information Sheet, the GSPDC shall require the Buyers to execute and deliver a Development Enforcement Mortgage to ensure that the Buyers fulfill their development and use commitments to the GSPDC.

NOW, THEREFORE, BE IT RESOLVED BY THE GREATER SYRACUSE PROPERTY DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The recitals above are hereby incorporated into this Resolution as if fully set forth herein.

Section 2. The Members of the Board hereby authorize the GSPDC to sell the Properties to the Buyers identified on the Property Sale Information Sheet and authorize the Executive Director to enter into Contracts to Purchase with the GSPDC as Seller and the Buyers as buyer with respect to the Properties. The Contracts to Purchase shall be agreeable in form and content to the Executive Director and GSPDC counsel.

Section 3. The Chairman, Vice Chairman, Secretary and Treasurer are each hereby authorized to execute all documents on behalf of the GSPDC which may be necessary or desirable to further the intent of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution. The Executive Director and the Director of Operations of the GSPDC are each also hereby authorized and directed for and in the name and on behalf of the GSPDC to execute agreements, instruments of conveyance and all other related documents pertaining to the conveyance of real property by the GSPDC.

Section 4. All other officers, employees and agents of the GSPDC are hereby authorized to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Vito Sciscioli	VOTING	<u>Yes</u>
James Corbett	VOTING	<u>Yes</u>
Daniel Barnaba	VOTING	<u>Yes</u>
Julie Cerio	VOTING	<u>Yes</u>
El-Java Abdul-Qadir	VOTING	<u>Yes</u>

The foregoing Resolution was thereupon declared and duly adopted.

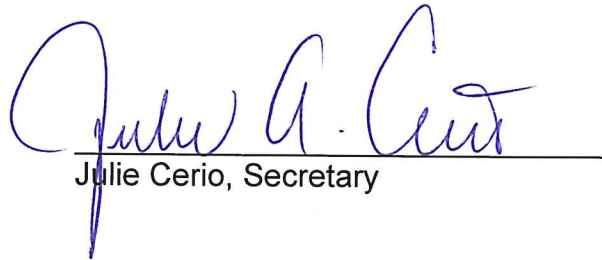
STATE OF NEW YORK)
COUNTY OF ONONADAGA) ss.:

I, the undersigned Secretary of the Greater Syracuse Property Development Corporation (the "GSPDC"), DO HEREBY CERTIFY, that I have compared the foregoing extract of the minutes of the meeting of the directors of GSPDC, including the Resolution contained therein, held on October 16, 2018 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of GSPDC and of such Resolution set forth therein and of the whole of said original so far as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all directors of GSPDC had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the directors of GSPDC present through said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of GSPDC this 20th day of November, 2018.


Julie Cerio, Secretary

SCHEDULE A
PROPERTY SALE INFORMATION SHEET

Property Address and Tax Parcel Number:

129 Gere Ave
113.-06-07.0

Buyers' Names:

Tina and Donald McCallops

Purchase Price:

\$10,621.16

Benefit to the Community Resulting from the Sale:

This sale will:

- Keep the home owner-occupied
- Remedy a clerical error that would otherwise cost them their home that they just recently purchased

Buyer's Unique Qualifications for Returning the Property to Productive Use:

See attached letter.



Hinman, Howard & Kattell LLP
ATTORNEYS

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September 4, 2018

Via Electronic Transmission

Meghan Craner, Esq.
Greater Syracuse Land Bank
431 East Fayette Street Suite 375
Syracuse, New York 13202

Re: 129 Gere Avenue, Syracuse, New York
CNY Property Group, LLC to McCallops
CM: 081818-0000001

Dear Meghan:

Thank you so much for taking the time to speak with me today about the above referenced property and very difficult situation we are dealing with. As I explained when we spoke earlier today, this office represents Tina and Donald McCallops relative to their purchase of 129 Gere Avenue. This office also represents Home Headquarters relative to the financing on this transaction that technically occurred on August 14, 2018 in this office.

I attach the following to demonstrate that the parties (seller and buyer) intended to convey title to the 129 Gere Avenue, Syracuse, New York property on August 14, 2018 and that the lender intended to place a lien on the property for a first mortgage and two additional grants for closing assistance and additional funds:

1. Copy of Deed dated August 10th that was tendered by the seller to the McCallops effective August 14, 2018. Also attached are the TP-584 and RP-5217 also tendered and accepted that date
2. Copy of the Closing Disclosure effective August 14, 2018 demonstrating the sale and financing occurred and the seller received the net proceeds of \$42,876.51 in full satisfaction of the transfer of its interest in the property; and
3. Copy of the Check dated August 14, 2018 payable to the City of Syracuse for the back taxes due per payoff from the City in the amount of \$10,621.16 that is being held in escrow in this office with the recording checks.

Tina and Donald McCallops worked diligently with Home Headquarters for quite a long time in anticipation of being able to acquire this property and the smiles on their faces when we closed told the whole story. They could not have been more elated at the thought that they were finally home owners. Unfortunately, due to the delay in recording the deed with mortgage and remitting the payment of the taxes in a timely manner they are now quite distraught and nervous that they may have lost this dream. I have assured them that we will be doing all possible to expedite a correction of the present circumstances and be able to ensure that 129 Gere Avenue is their home as soon as possible. I would respectfully ask that the Greater Syracuse

Land Bank work with this office to make this possible with the understanding that the matter will be heard, discussed and a determination made on September 18, 2018 at your next meeting. This office will reimburse the Land Bank for your costs and expenses involved in any conveyance by the Land Bank to my clients, Tina and Donald McCallops. At this point, based on my discussions with John Sidd, your counsel, it would appear that we would reimburse the Land Bank for his attorney fees in handling the anticipated conveyance to my clients, as well as the \$151.00 that has already been incurred.

I hope to hear from you as soon as feasible as to what steps will be possible, again optimistically anticipating the Land Bank will approve a conveyance to my clients. We will hold the \$10,621.16 that was the unpaid tax amount that we were to remit to the City Commissioner of Finance/Tax Office with the understanding that may be determined to be the consideration to the Land Bank for this property should that conveyance be approved. It is our hope that we can record a deed into Tina and Donald McCallops and record the Three mortgages/grants in favor of Home Headquarters – to wit: mortgage for 56,350.00; grant for a closing assistance mortgage in the amount of \$4,000.00; and additional grant in the amount of \$5,000.00 as soon as feasible.

I would also like to explore if there is any way to pay the \$1,710.03 currently owed to the City of Syracuse Water Department (by the seller) with the check for same we have in our possession. The water should already be in the name of the McCallops' and they can keep making those payments consistent with their water usage.

I have already spoken to John Sidd, Esq. and I copy him..

Finally – as we will want to review the corrective conveyance with our title company, Bradt Luciani Real Property Services, please let us know the process and how this can be effectively addressed assuming the City and the Land Bank are agreeable to allowing us to rectify this matter. Please advise as soon as possible so we can work with your offices to correct this most difficult situation

Thank you in advance for your courtesies, understanding and anticipated cooperation.

Very truly yours,

HINMAN, HOWARD & KATTELL, LLP

Winnie Schleider

By:

Edwina C. Schleider

ECS/ecs

cc: John Sidd, Esq.
Via Electronic Transmission
William Bradt, Esq.
Via Electronic Transmission