

## **RESOLUTION AUTHORIZING THE SALES OF MULTIPLE PARCELS OF REAL PROPERTY**

A regular meeting of the Albany County Land Bank Corporation (the "Land Bank") was convened in public session via teleconference in accordance with Executive Order 202.1 of New York State on July 21, 2020 at 10:00 AM, local time.

The meeting was called to order by the Chair of the Land Bank and, upon roll being called, the following members of the Land Bank were:

### MEMBERS:

Board Member	Title	Present (Y/N)
Charles Touhey	Chair	Y
David Traynham	Vice-Chair	N
Natisha Alexander	Treasurer	N
Samuel Wells	Secretary	Y
Jeffrey Collett	Member	Y
Todd Curley	Member	Y
Chris Spencer	Member	Ν

### LAND BANK STAFF/COUNSEL PRESENT INCLUDED THE FOLLOWING:

Name	Title
Adam Zaranko	Chief Executive Officer
Amanda Wyckoff	Director of Operations
Erica Ganns	Assistant Director of Operations
Will Sikula	Planning & Projects Coordinator

The following resolution was offered by <u>Todd Curley</u>, seconded by <u>Sam Wells</u>, to wit:

### **RESOLUTION AUTHORIZING THE SALES OF MULTIPLE PARCELS OF REAL PROPERTY**

**WHEREAS,** New York Not-For-Profit Corporation Law §1609(d) authorizes the Albany County Land Bank Corporation, Inc. ("Land Bank") to convey, exchange, sell, or transfer any of its interests in, upon or to real property; and

**WHEREAS**, The Land Bank Bylaws and New York Not-For-Profit Corporation Law §1605(i)(5) requires that a sale of real property be approved a majority vote of the Board of Directors; a n d

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

WHEREAS, the Land Bank owns certain parcels of real property situate in the County of Albany and State of New York and more particularly identified on the Properties List attached hereto as Schedule A (individually, a "Property" or collectively, the "Properties"); and

WHEREAS, Land Bank staff, after evaluating all purchase offers received for the Properties in accordance with the Property Disposition Policy, have recommended that the Land Bank sell each Property to the corresponding Buyer identified on the Properties List (individually, a "Buyer" or collectively, the "Buyers") in accordance with the terms and conditions set forth therein; and

WHEREAS, Land Bank staff have determined that each Buyer is a qualified buyer; and

**WHEREAS**, the Land Bank has obtained such competition as is feasible under the circumstances for each Property by advertising the Property on its website and/or listing the Property with a licensed real estate broker; and

**WHEREAS**, as each Buyer's plans are consistent with the mission, purpose and governing statute of the Land Bank, the Property Disposition Policy permits the Land Bank to sell each Property to the corresponding Buyer by negotiation; and

WHEREAS, the Land Bank desires to sell each Property to the corresponding Buyer identified on the Properties List at the price, which was offered by each Buyer, as set forth on the Properties List; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ALBANY COUNTY LAND BANK, AS FOLLOWS:

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

- 1. The Members of the Board hereby authorize the Land Bank to sell each Property to the corresponding Buyer identified on the Properties List pursuant to its Bylaws and Article 16 of the New York State Not-For-Profit Corporation Law; and;
- 2. The Members of the Board hereby authorize the Executive Director Adam Zaranko, General Counsel Catherine M. Hedgeman and/or Charles Touhey, Chairman to enter into Sales Contracts. Each Contract to Purchase will be agreeable in form and content to the Executive Director.
- 3. Executive Director Adam Zaranko, General Counsel Catherine M. Hedgeman and/or Charles Touhey, Chairman are each hereby authorized and directed to execute all documents on behalf of the Land Bank 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.
- 4. The other officers, employees and agents of the Land Bank are hereby authorized and directed for and in the name and on behalf of the Land Bank 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.
- 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:

Charles Touhey	VOTING	Aye
David Traynham	VOTING	
Natisha Alexander	VOTING	
Samuel Wells	VOTING	Aye
Jeffrey Collett	VOTING	Aye
Todd Curley	VOTING	Aye
Chris Spencer	VOTING	

The foregoing Resolution was thereupon declared duly adopted unanimously meeting the requirements of the Land Bank's bylaws requiring a majority of the Board approving this resolution.

STATE OF NEW YORK ) COUNTY OF ALBANY )

I, the undersigned Secretary of the ALBANY COUNTY LAND BANK CORPORATION DOES HEREBY CERTIFY, that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Land Bank, including the Resolution contained therein, held on July 21, 2020 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Land Bank had due notice of said meeting; (B) said meeting was in all respects 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 duly given in accordance with such Open Meetings Law; (D) there was a quorum of the members of the Land Bank present throughout said meeting; and (E) Pursuant to the Land Bank Bylaws, a majority of the Board has voted to approve this resolution.

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 the Land Bank this  $24^{\text{Th}}$  day of July 2020.

Secretary

(SEAL)

## EXHIBIT A

# **List of Properties**

- SEE ATTACHED -

ACLB Sales Matrix - July 2020 Board of Directors Meeting						
Parcel Number	Property Address	Acquisition Date	Property Class	Applicant Name	Intended Use	Sales Recommendation
1401-42.38	1082 County Route 411	4/29/2020	Residential Building	Nancy and James Malphrus	Primary Residence	Recommend to advance sale to Ms. and Mr. Malphrus with Mr. Weidman as first alternate
	(Westerlo)			Matthew Weidman	Operate As Rental	buyer
76.62-3-46	7 Sligo Street	2/28/2016	Residential Vacant Lot			
76.62-3-45	9 Sligo Street	2/8/2016	Residential Vacant Lot	Diana Wright	Garden	Recommend to advance sale of three lots to Ms. Wright
76.62-3-44	11 Sligo Street	2/8/2016	Residential Vacant Lot			
66.37-1-31	1207 Broadway	12/23/2019	Residential Building	JAR Development	Operate As Rental	Recommend to advance sale to Mr. Mendel with JAR Development as the first alternate
				Paul Mendel	Operate As Rental	buyer
66.37-1-30	1209 Broadway	12/23/2019	Residential Building	JAR Development	Operate As Rental	Recommend to advance sale to Mr. Mendel with JAR Development as the first alternate
			-	Paul Mendel	Operate As Rental	buyer
32.82-2-36				Manlio Carrasco Rodriguez	Landscaping	
32.82-2-36	1212 4th Avenue (Watervliet)	12/23/2019	Residential Vacant Lot	Anthony Emanation	Fence	Recommend to advance sale to Mr. Rodriguez with Mr. Emanation as the first alternate buyer
42.17-6-31	1366 Central Avenue (Colonie)	4/29/2020	Residential Building	Mitchell Marcus	Other	Recommend to advance sale to Mr. Marcus with a <u>requirement to submit the demolition</u> application within three months of closing
76 64 2 05	144 Fourth Avenue			Sunsierre Atkinson	Operate As Rental	Recommend to advance sale to Ms. Atkinson
76.64-3-05	144 FOULTI AVENUE	2/20/2015	Residential Building	Fair Ride, LLC	Operate As Rental	with Fair Ride LLC as the first alternate buyer

				Frank Poleto	Operate As Rental	
17.4-5-9	151 Consaul Road (Colonie)	4/29/2020	Residential Building	James Zhang dba Spark Innovations LLC	Redevelop and Re-sell	Recommend to advance sale to Mr. Poleto with Mr. Zhang as first alternate buyer and Ms. Dempsey as second alternate buyer
				Sarah Dempsey	Primary Residence	
65.73-3-2	186 First Street	2/23/2017	Residential Vacant Lot	Charmaine McInnis & Debbie Brown	Driveway-Parking	Recommend to advance sale to Ms. Brown and Ms. McInnis upon completion of the demolition of the building (underway).
624-11.1	198 Normanskill Road (New Scotland)	12/23/2019	Residential Vacant Lot	DanCountry LLC	Maintain As Is	Recommend to advance sale to DanCountry LLC
65.72-4-61	219 Spruce Street	9/24/2019	Residential Vacant Lot	Mary Kittle	Maintain As Is	Recommend to advance sale to Ms. Reyes with Ms. Kittle as the first alternate buyer
				Christina Reyes	Parking	

1712-19	3048 SR 145 (Rensselaerville)	12/23/2019	Residential Building	James Diresta	Primary Residence	Recommend to advance sale to Ms. Mackey
	(Rensselderville)			Rita Mackey	Other	
76.65-5-11	48 Bassett Street &	7/5/2019	Residential Building &	Pedro Cedeno	Operate As Rental	Recommend to advance sale to Mr. Cedeno
76.65-5-10	50 Bassett Street	1/3/2013	Residential Lot	First Hand Aid	Other	with First Hand Aid as the first alternate buyer
64.36-1-12	511 Bradford Street	10/26/2018	Commercial Vacant Lot	Tim Stuto	New Construction	Recommend to advance sale to Mr. Stuto with no development agreement
65.47-3-44	56 Quail Street	12/6/2016	Residential Vacant Lot	Eden's Rose Foundation	Garden	Recommend to advance sale to Eden's Rose Foundation
		4/29/2020	Residential Building	Justin Luzians	Primary Residence	Recommend to advance sale to Mr. Jiang and Mr. Chen. Also recommend that Mr. Luzinas is approved as the first alternate buyer and Mr. Zhang as second alternate buyer
5.3-2-7	5.3-2-7 66 Fonda Road (Colonie)			Jay Jiang and Eric Chen	Redevelop and Re-sell	
				James Zhang dba Spark Innovations LLC	Redevelop and Re-sell	
76.65-1-58	61 Clinton Street		2/20/2015 Residential Vacant Lot	Theresa Rodriguez	(jardan	Recommend to advance sale of all three lots to Ms. Rodriguez
76.65-1-59	63 Clinton Street	2/20/2015				
76.65-1-60	69 Clinton Street					
16.4-4-14	71 Morris Road (Colonie)	4/29/2020	Accessory Structure	Dave Adams Builders LLC	New Construction	Recommend to advance sale to Ms. Meyer with Dave Adams Builders LLC as the alternate
10.4-4-14				Carol Meyer	New Construction	buyer

63 12 3 35	63.12-3-35 Monroe Ave (Bethlehem)	4/29/2020 Residential		James and Michele Paige	Maintain As Is	Recommend to advance sale to Mr. Gallo with Mr. and Mrs. Paige as alternate buyer
03.12-5-55			Residential vacant Lot	Frank Gallo	Other	
63.12-3-36	Monroe Avenue	9/24/2019	Residential Vacant Lot	James and Michele Paige	Maintain As Is	Recommend to advance sale to Mr. Gallo with Mr. and Mrs. Paige as alternate buyer
03.12-5-50	(Bethlehem)	5/24/2013		Frank Gallo	Other	
63.12-3-37	A 27 Monroe Avenue	4/29/2020	20 Residential Vacant Lot	James and Michele Paige	Maintain As Is	Recommend to advance sale to Mr. Gallo with
(Bethlehem)			Frank Gallo	Other	Mr. and Mrs. Paige as alternate buyer	