

WCIDA Minutes 10/24/14 – Attachment One
PROJECT AUTHORIZING RESOLUTION
(Disposition of Real Property at 1776 Schilling Road, Palmyra, New York)

A regular meeting of Wayne County Industrial Development Agency was convened on Friday, October 24, 2014 at 9:30 a.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 10/2014 - ___

RESOLUTION OF THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) AUTHORIZING THE DISPOSITION OF REAL PROPERTY LOCATED AT 1776 SCHILLING ROAD, PALMYRA, NEW YORK PURSUANT TO SECTIONS 2896 AND 2897 OF THE PUBLIC AUTHORITIES LAW AND THE AGENCY'S DISPOSITION OF REAL PROPERTY GUIDELINES, AND (II) AUTHORIZING THE EXECUTION AND DELIVERY OF A QUIT CLAIM DEED AND RELATED DOCUMENTS WITH RESPECT TO THE DISPOSITION OF REAL PROPERTY.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 916 of the Laws of 1969 of the State of New York, (the "Act"), the **WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (the "Agency") was created with the authority and power to promote, develop, encourage and assist in acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, civic, research, and recreational facilities as authorized by the Act; and

WHEREAS, the Agency is the owner of the real property located at 1776 Shilling Road, Town of Palmyra, Wayne County, New York and being a 4.95 acre vacant residential lot (the "Schilling Road Property"); and

WHEREAS, the Agency obtained an appraisal of the Schilling Road Property pursuant to Section 2897(3) of the Public Authorities Law and the Agency's Disposition of Real Property Guidelines, by appraisal prepared by Robert G. Pogel, SRPA, Pogel, Schubmehl & Ferrara, LLC, dated July 29, 2014 (the "Appraisal"), which Appraisal is attached hereto as **Exhibit A**; and

WHEREAS, pursuant to Section 2897(6) of the Public Authorities Law and the Agency's Disposition of Real Property Guidelines, the contracting officer of the Agency advertised for bids for disposal of the Schilling Road Property, a copy of the legal notice (the "Legal Notice") and proof of publication of the legal notice are attached hereto as **Exhibit B**; and

WHEREAS, only one bidder submitted a bid pursuant to the terms of the Legal Notice, which bid was from Michael Boesel in the amount of \$21,000.00 and attached hereto as **Exhibit C**; and

WHEREAS, in furtherance of the foregoing, the Agency desires to authorize (i) the acceptance of the bid from Michael Boesel for the disposition of the Schilling Road Property; (ii) the execution and delivery of quit claim deed and related documents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE WAYNE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Subject to the Sections 2896 and 2897 of the Public Authorities Law and the Agency's Disposition of Real Property Guidelines and based on the review of the Appraisal and the bids submitted in connection with the Legal Notice for the disposition of the Schilling Road Property, the Agency hereby accepts the bid of Michael Boesel in the amount of **\$21,000** subject to the terms set forth in the Legal Notice.

Section 2. The Chairman, Vice Chairman and/or Executive Director of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver to Michael Boesel a quit claim deed for the Schilling Road Property and related documents with such changes as shall be approved by the Chairman, Vice Chairman, the Executive Director and counsel to the Agency upon execution.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and 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 resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
David Spickerman, Sr.	XX			
James Hoffman	XX			
Willard Milliman	XX			
Robert Havrilla	XX			
Pamela Heald	XX			

The resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF WAYNE) ss:

I, the undersigned Assistant Secretary of the Wayne County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing extract of the minutes of the meeting of the Wayne County Industrial Development Agency (the "Agency") including the resolution contained therein, held on October 24, 2014, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Agency this 24th day of October, 2014.

Assistant Secretary

[SEAL]