

COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY

ACQUISITION OF REAL PROPERTY POLICY

I. Introduction

The following policy sets forth for the County of Franklin Industrial Development Agency (the “Agency”) its operative policy and instructions regarding its acquisition of real property. This policy is not intended to be applicable to the Agency’s acquisition of real property in conjunction with a Straight-Lease Transaction as defined under the New York General Municipal Law.

II. Acquisitions

Real property may be purchased, leased or otherwise acquired by the Agency for purposes of use, resale, leasing or otherwise as long as such acquisition and accompanying purpose shall be in furtherance of the Agency’s purposes as set forth under Article 18-A of the New York State General Municipal Law, as may be amended from time to time, and the Agency’s mission, policies and goals. The Contracting Officer for all real property acquisitions shall be the Chief Executive Officer of the Agency.

III. Approvals

The Chief Executive Officer shall first make a determination that a particular real property acquisition is in furtherance of the Agency’s purposes and is otherwise important and necessary to the Agency. The Chief Executive Officer shall approve the initial terms and conditions of the real property acquisition which terms and conditions shall be expressly subject to the approval of the Members of the Agency and, if necessary, a satisfactory real property appraisal as set forth herein. The Chief Executive Officer shall put forth the proposed real property acquisition and the terms and conditions thereof to the Members of the Agency for their consideration and approval. All acquisitions of real property by the Agency must be approved by the Members.

IV. Appraisal

For all real property acquisitions with a purchase price of \$100,000.00 or more, following the approval of the Members of the Agency to such real property acquisition as described herein, the Agency shall obtain an appraisal of the real property to be acquired from a real estate appraiser duly licensed in the State of New York and with experience appraising the particular type of real property being acquired by the Agency. In the event the purchase price for the real property exceeds the appraised value by more than 15%, the Agency must either:

- A. Not acquire the real property; or
- B. Renegotiate the purchase price to an amount within 15% of the appraised value and acquire the real property; or

- C. Make a determination at a subsequent meeting of the Agency that, notwithstanding the appraised value, the Agency will proceed with the real property acquisition at the stated purchase price as such acquisition is vitally important to the Agency's purpose and is otherwise important and necessary to the citizens of Franklin County.