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January 9, 2023

Hon. Thomas P. DiNapoli  
Comptroller of the State of New York  
110 State Street  
Albany, New York 12236

Hon. Robert F. Mujica, Jr., Director  
State of New York, Division of the Budget  
State Capitol  
Albany, New York 12224

Hon. Jeanette M. Moy  
Acting Commissioner  
The New York State  
Office of General Services  
Corning Tower  
Empire State Plaza  
Albany, New York 12242

Hon. Andrea Stewart-Cousins  
Office of Temporary President of the New York State Senate  
State Capitol  
Albany, New York 12224

Hon. Carl E. Heastie  
Speaker of the New York State Assembly  
State Capitol  
Albany, New York 12224

Director  
State of New York Authorities Budget Office  
P.O. Box 2076  
Albany, New York 12220-0076

**RE: Genesee County Industrial Development Agency d/b/a  
Genesee County Economic Development Center  
Notice of Disposition of Property by Negotiation**

To Whom It May Concern:

Pursuant to subparagraph (ii) of paragraph (d) of subdivision (6) of section 2897 of Title 5-A of Article 9 of the Public Authorities Law ("PAL"), the following explanatory statement is being provided at least 90 days prior to the disposal of property by negotiation:

EXPLANATORY STATEMENT. As authorized by paragraph (c) of subdivision (6) of section 2897 of Title 5-A of Article 9 of the PAL, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center ("GCEDC") intends to dispose of property by negotiation not less than 90 days from the date of this notice. Furthermore such property disposal is of the type and nature covered by clauses (A) through (D) of subparagraph (i) of paragraph (d) of subdivision (6) of section 2897 of Title 5-A of Article 9 of the PAL.

GCEDC has developed and owns parcels of real property within what is commonly known as the LeRoy Food & Technology Corporate Business Park located in the Town of LeRoy, County of Genesee, State of

New York comprising approximately 75 acres ("LFTP"). GCEDC proposes to transfer approximately ten (10) acres +/- of land in LFTP, constituting a portion of tax parcel 25.-1-75 (the "Property") to Kreher Brothers, LP, or an affiliated entity existing or to be formed (herein, the "Company"). The Company is planning on submitting an application (the "Application") to the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center (the "Agency") requesting that the Agency consider undertaking a project (the "Project") at the Property consisting of the construction of improvements containing approximately 60,000 square feet of improvements, including physical space, for a warehouse/distribution center and related improvements, equipment and infrastructure to be located at the Property.

The disposition of the Property will occur through a negotiated sale. The proposed disposition of the Property (the "Disposition"), as further described herein, is within the purpose, mission and governing statutes of GCEDC, and is thereby exempted from publicly advertising for bids and obtaining fair market value pursuant to PAL sections 2897(6)(c)(v) and 2897(7)(ii).

In accordance with applicable provisions of the PAL and Policy Guidance No. 15-03 issued by the State of New York Authorities Budget Office, the following details regarding the Disposition are provided:

1) Description of the parties involved in the Disposition:

Seller: Genesee County Industrial Development Agency d/b/a  
Genesee County Economic Development Center

Purchaser: Kreher Brothers, LP, or an entity or entities existing or to be formed on its behalf

2) Justification for the Disposition:

The mission of GCEDC is to relieve and reduce unemployment, promote and provide for additional and maximum employment, bettering and maintaining job opportunities and attracting new industry to the community and/or encouraging the development of and retention of industry in its mission area.

3) Identification of the Property:

Approximately ten (10) acres +/- of land in the LFTP, constituting part of tax parcel 25.-1-75.

4) Estimated Fair Market Value of the Property:

GCEDC previously procured and maintains a Summary Appraisal Report relating to lands within LFTP which indicates a valuation of approximately \$4,000 per acre which calculates to a total of \$40,000.00 for ten (10) acres.

5) Proposed Sale Terms:

\$50,000 per acre.

6) Size of the Property:

Approximately 10 acres.

7) Expected Date of Sale of the Property:

Third quarter 2023.

Any questions or comments relating to the proposed Disposition may be sent to GCEDC at the address noted above.

Sincerely,

**GENESEE COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY D/B/A GENESEE  
COUNTY ECONOMIC DEVELOPMENT  
CENTER**

By:



Name: Mark A. Masse

Title: SR VP of Operations