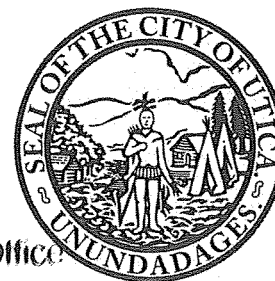


MICHAEL P. GALIME, MAYOR
CITY OF UTICA

UTICA HARBOR POINT DEVELOPMENT CORP.
1 KENNEDY PLAZA
UTICA, NEW YORK 13502
PHONE: (315) 792-0195
FAX: (315) 797-6607



Authorities Budget Office

AUG 05 2024

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July 17, 2024

Certified Mail – Return Receipt Requested

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

Hon. Blake G. Washington, Director
State of New York Division of Budget
State Capitol Building 128
Albany, New York 12207

Hon. Jeanette Moy, Commissioner
New York State Office of General Services
Corning Tower, 41st Floor
Empire State Plaza
Albany, New York 12242

Hon. Andrea Stewart-Cousins
Temporary President and
Majority Leader of the New York State Senate
Room 330, State Capital Building
Albany, New York 12247

Hon. Carl E. Heastie
Speaker of the New York State Assembly
Legislative Office Building, Room 932
Albany, New York 12248

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

**RE: Utica Harbor Point Development Corporation
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 real property by negotiation:

EXPLANATORY STATEMENT. The Utica Harbor Point Development Corporation’s (the “UHPDC”) proposed disposition of real property as described herein is within the purpose, mission, and governing statutes of the UPHDC and is thereby exempted from publicly advertising for bids pursuant to PAL §2897(6)(c)(v). As authorized by PAL §2897(6)(c) and because the real property that is the subject of this correspondence is the type of property described in PAL

§2897(6)(d)(i)(B), the UHPDC intends to dispose of the property as described herein by negotiation not less than 90 days from the date of this notice.

The UHPDC is the owner of (i) a certain 12.29 +/- acre parcel of real property within the City of Utica, Oneida County, New York, identified as Tax Parcel No. 306.20-1-9 ("Parcel 1"), and (ii) a certain 1.78 +/- acre parcel of real property located within the City of Utica, Oneida County, New York, identified as Tax Parcel No. 306.20-1-11 ("Parcel 2," and collectively with Parcel 1, the "Real Property"), comprising 14.07 +/- acres of real property, as more specifically described on **Schedule A** attached hereto.

The UHPDC and the City of Utica have prepared the Utica Harbor Master Plan and the Utica Harbor Generic Environmental Impact Statement for the Utica Harbor to ultimately allow for its remediation, redevelopment and re-use with related new private sector investment and job creation. Concurrent with the master planning process, the UHPDC undertook a request for proposals process and publicly solicited bid proposals to purchase the Real Property. The UHPDC received an offer to purchase the Real Property from Utica Harbor Lodging Group LLC (the "Purchaser"). To appropriately accommodate the needs of the UHPDC to properly dispose of the Real Property consistent with its mission and purpose, it was necessary for the UHPDC to negotiate the final terms of the contemplated transfer of the Real Property, rather than accept the offer from the Purchaser outright.

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 of the Real Property are provided:

1) Description of the parties involved in the Transaction

Seller: Utica Harbor Point Development Corporation
Purchaser: Utica Harbor Lodging Group LLC

2) Justification for disposing of Property by negotiation:

The UHPDC desires to remediate, redevelop, and re-use the Utica Harbor, in an effort to encourage new investment and job creation. The UHPDC, in an effort to jump-start interest and potential new investment, solicited public bids to dispose of the Real Property, as identified above, consistent with the mission of the UHPDC and the master planning process as identified above. The Purchaser provided an appropriate response to the publicly advertised request for proposals for the Real Property. However, in the best interest of the UHPDC and its mission and purpose, it was necessary for the UHPDC to negotiate the final terms of the contemplated disposition of the Real Property.

As such, the Purchaser has offered to purchase the Real Property for approximately \$1,537,000.00, being greater than to the Real Property's fair market value as discussed below. Purchaser will, upon taking title to the Real Property, construct (i) a lodging component consisting of 2 hotels, each being approximately 80 to 100 rooms, (ii) a residential component consisting of 240 individual 1, 2 and 3 bedroom market rate units

built in a multi-story building(s), including tenant parking, resident storage spaces and a club house, and (iii) an entertainment facility consisting of a 40,000 square foot recreation center with features such as bowling, simulated golf, arcade games, pitching and batting cages, miniature golf, and a restaurant and lounge, designed to service both residents and transient guests seeking a family entertainment experience (collectively, the foregoing is referred to as the "Project"), thus increasing the local tax base, and resulting in the creation of new jobs, all for the benefit of the City of Utica.

3) Identification of Property:

14.07 +/- acres of vacant land located within the City of Utica, Oneida County, New York, more specifically described on **Schedule A** attached hereto, situated on Tax Parcel Nos. 306.20-1-9 and 306.20-1-11.

4) Estimated Fair Market Value of Property:

The UHPDC obtained independent appraisals from Donato Real Estate Appraisal & Consulting that determined (i) the per acre fair market value of Parcel 1 to be \$120,016.27, and (ii) the per acre fair market value of Parcel 2 to be \$20,224.72, producing a fair market value for the Real Property of \$1,511,000.00

5) Proposed Sale Price:

The Purchaser will pay \$1,537,000.00 for the Real Property.

6) Size of the Property: 14.07 +/- acres.

7) Expected Date of Sale of the Property:

Pursuant to and in accordance with applicable laws and regulations, and subject to applicable governmental approvals and permitting timeframes, the UHPDC reasonably expects to convey the Real Property in November, 2024.

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

Sincerely,

**UTICA HARBOR POINT
DEVELOPMENT CORPORATION**

By: 

Name: Vincent Gilroy

Title: President

