

## **2214 Whitesboro Street – Pre-Foreclosure Search**

Suggested market price - \$400,000.00

On behalf of the City of Utica, the Urban Renewal Agency is searching for investors interested in acquiring the property known as 2214 Whitesboro St., Utica, NY, in anticipation of a successful Tax Foreclosure, which procedure is currently suspended.

At this state of the proceedings, the City of Utica is not the record owner of the premise, but it anticipates the resumption of legal proceedings and a successful conclusion. Therefore, in anticipation of this result the Urban Renewal Agency is prequalifying Interested Parties on behalf of the City in order to submit a list of Interested Parties to the City. At the appropriate time, the City will apply to complete the foreclosure and transfer title directly to the Interested Party selected from the prequalification list to become the owner of the property.

Any such transfer of this property to the selected Interested Party, is EXPRESLY CONDITIONED UPON completion of the Tax Foreclosure proceeding and court approval to convey the premises directly to the successful Interested Party. The Urban Renewal Agency and the City of Utica make no warranty as to the physical and structural condition or status of the property, expressed or implied. The property will be transferred subject to occupancy and in an "AS IS" condition as of the time of closing.

The facility at 2214 Whitesboro Street contains approximately 229,900 square ft. of floor space.

A previous owner of the property, HYOSUNG USA Inc., manufactured fabric reinforcement for car tires and closed in 2011.

The property was sold by HYOSUNG USA Inc. for \$220,000.00, in 2013 to 2214 Whitesboro St., LLC, who failed to pay the required property taxes and is presently a respondent in the suspended Tax Foreclosure proceedings.

Interested Parties must be aware that the City does not have access to the property due to Asbestos Containing Material (ACM).

Seven violations were issued to 2214 Whitesboro St. LLC by the NYS Department of Labor Asbestos Control Bureau.

An inspection report issued by the US EPA on March 31, 2016 confirmed the presence of asbestos containing material (ACM) throughout the building.

It concluded that: "Asbestos containing material was observed in several areas of the facility, including, but not limited to the three floors of the main building and all 10 floors of the tower. Open access to the environment was also observed in these areas through open ventilation fans, unsecured roof openings, missing exterior walls and broken windows. A pathway exists for asbestos fibers to become entrained in the wind and carried off site has been observed."

Copies of these reports are available in PDF format. Interested parties should use this information as part of their "Due Diligence" prior to submitting a statement of interest.

As part of the prequalification procedure, all interested parties will be required to agree to execute a "Hold Harmless and Indemnification Agreement" with the associated duty to defend in favor of the City of Utica and the Urban Renewal Agency, at the time of closing of the sale.

If you are interested in acquiring the aforementioned property you can use the standard URA Application, which will act as a Statement of Interest. The application can be downloaded from the City of Utica website, [www.cityofutica.com](http://www.cityofutica.com) or you can pick one up on the 2nd floor of Utica City Hall in the office of the Department of Urban and Economic Development.

If you contact us and give us your email address we will be glad to forward you a standard application and other pertinent details or reports. Email – [gallen@cityofutica.com](mailto:gallen@cityofutica.com) or [abrindisi@cityofutica.com](mailto:abrindisi@cityofutica.com). Office – 315-792-0181

### **Pre-Qualification Process for This Commercial Property and submission of a Business Plan**

- When submitting statement of interest on this commercial property interested parties need to include a business plan, along with the standard URA application which is acting as a Statement of Interest
- The City may sell, or otherwise dispose of any real property to any person, firm or corporation based on the information submitted and further inquiry; an auction may be an alternative

### **The Interested Party needs to include a business plan, and financial plan that includes:**

- The Redevelopment proposal detailing proposed reuse of the property
- The architectural and planning skills as the ingenuity demonstrated in the proposal;
- The reputation, experience, and demonstrated ability of the Interested party's architects
- The Party's prior experience in redeveloping properties with the environmental characteristics reflected herein
- The time estimate submitted by the Interested party for the execution and completion of his proposed redevelopment
  - The time estimate for completion of the plan may exceed one (1) year but the plan must include benchmarks as to when specific aspects of the plan will be completed
- Prior history with redevelopment of URA or other City properties (If applicable)

### **The financial statements must show that The Interested Party has enough money and or bank commitment to cover:**

- The amount Interested Party is offering on the property,
- The amount of the estimated repairs the Interested Party lists in the Redevelopment Proposal,
- Any back water and solid waste charges.
- Any Liens against the property

### **Developer Fee/Personal Identification**

#### **The Interested Party must submit**

- A developer's fee and copies of financial statements and a business history
- If the Interested Party is not chosen to receive title, Interested Party's developer's fee will be refunded.  
**Note:** It takes up to 6 weeks for Interested Party to receive the refund.

#### **Identification**

- The Interested Party must show a valid photo ID, License, passport, etc. The URA Staff will make a copy of this identification and attach it to the Interested Party's Statement of Interest.

#### **Acceptance of Statement of Interest**

- Receipt of a Statement of Interest by URA staff does not automatically guarantee that Party's Statement t will be approved by the City as the Party to receive title.
- The property must have been marketed for 30 days
- The Interested Party must list all property Interested party currently own in the City of Utica on the Statement of Interest.
- This data will be submitted to the Codes and Comptroller's Office for searches of codes violations and delinquent taxes

#### **Note:**

A Statement of Interest received without both the developer's fee, and the financial statements, will be viewed as incomplete and will not be accepted.