

RESOLUTION No. 2020-

***RELATIVE TO APPROVAL OF THE ACQUISITION OF  
REAL ESTATE OWNED BY BRIGHTFIELDS CORPORATION,  
1300 BEECH AVENUE, IN THE CITY OF NIAGARA FALLS***

BY:

Council Chairman Christopher Voccio  
Council Member William Kennedy II  
Council Member John Spanbauer  
Council Member Kenny Tompkins  
Council Member Andrew Touma

**WHEREAS**, prior to 2012, the City of Niagara Falls owned a parcel of land known as “Tract II” at 1300 Beech Avenue, which is adjacent to Highland Avenue and Beech Avenue in the City; and

**WHEREAS**, this parcel of land was classified as a brownfield; and

**WHEREAS**, for the purposes of remediation, this parcel was transferred to the Brightfields Corporation by the City in 2012; and

**WHEREAS**, the intention of the parties was such that when the remediation was completed, the parcel would be transferred back to the City for the purposes of creating a public park there; and

**WHEREAS**, as the remediation was successful, the City now intends to reacquire 1300 Beech Avenue for the purpose and function of utilizing the property as a City park; and

**WHEREAS**, New York State law requires that City must make a good faith effort to negotiate with the Owner to purchase the Property; and

**WHEREAS**, the negotiated price for said transaction is the *de minimis* sum of ONE DOLLAR and 00/100 CENTS (\$1.00); and

**Kennedy** \_\_\_\_\_ **Spanbauer** \_\_\_\_\_ **Tompkins** \_\_\_\_\_ **Touma** \_\_\_\_\_ **Voccio** \_\_\_\_\_

**WHEREAS**, it is in the best interest of the City to acquire the property according to those terms.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Niagara Falls, New York hereby approves the acquisition of the property known as 1300 Beech Avenue, as reflected on the proposed Deed attached hereto, and be it further

**RESOLVED**, that the Corporation Counsel be and is hereby authorized and directed to cause said Deed to be recorded in the office of the Niagara County Clerk, together with a certified copy of this Resolution.