

OFFICE OF THE MAYOR
Telephone: (716) 286-4310

May 16, 2022

The City Council
Niagara Falls, New York

RE: Approval of Reacquisition of Cannon Block Properties from Penn Terra USRE Corp.

Council Members:

In May 2019, a Purchase, Sale, and Development Agreement was reached between the Dyster Administration and Penn Terra USRE Corp. ("Penn Terra") for the sale and redevelopment of the five (5) Cannon Block properties located on Main and Third streets formerly owned by Dr. Mehta. In furtherance of this Agreement, the City transferred the properties in question to Penn Terra at the price of \$54,000.00, conditioned upon Penn Terra commencing construction of the development within two months of the closing and completion of the project within 24 months of that date.

Unfortunately, as Penn Terra has made no effort to commence any redevelopment the parcels in question, this Administration has taken the necessary steps to reacquire the property under the terms of the development agreement. To effectuate reacquisition of the property, the City must tender the original purchase price of \$54,000 to Penn Terra upon filing of the appropriate transactional and closing documents. Accordingly, it is hereby requested that the Council approve the reacquisition of these properties as it is in the best interest of the City. Funding is available in budget code A.0000.2770.599 - Undesignated Misc. Revenue.

Will the Council so approve and authorize the Mayor to execute the documents necessary to accomplish the same, provided that they are satisfactory to the Corporation Counsel in both form and content?

Respectfully submitted,

ROBERT M. RESTAINO
Mayor

Funding Approval:

Daniel Morello, City Controller

Bax _____ Myles _____ Tompkins _____ Zajac _____ Spanbauer _____