

Adopted June 13, 2023

Introduced by Dave D'Amore  
who moved its adoption

Seconded by Sue Collins

**RESOLUTION OF THE FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
APPROVING AND AUTHORIZING SALE OF REAL PROPERTY**

**WHEREAS**, the Fulton County Industrial Development Agency (the "Agency") owns certain property in the Town of Johnstown; and

**WHEREAS**, DJF Motorsports, Inc., a New York business corporation, or its permitted assigns, desires to purchase from the Agency the following vacant real property (the "Property"):

Tax Map Parcel 174.-2-66    0.251+/- acres    State Highway 30A

**WHEREAS**, pursuant to section 6(c) of the Agency's Disposition of Property Guidelines, the Property may be sold by negotiation and for less than fair market value if the disposal is intended to further the economic development interests of the Agency; and

**WHEREAS**, the appraisal value of the Property is \$1,900.00; and

**WHEREAS**, DJF Motorsports has offered to purchase said Property for \$500.00; and

**WHEREAS**, based on the foregoing, the Agency has determined that the sale of said Property interests of the County of Fulton and the Town of Johnstown, is in accord with the public provisions of applicable federal, state and local laws and the Agency's Disposition of Property Guidelines, and will benefit the welfare and the economies of both Fulton County and the Town of Johnstown and the residents of those municipalities.

**NOW, THEREFORE**, it is hereby

**RESOLVED** that after due deliberation thereon, the Agency has determined that the disposal of the Property intends to further the economic development interests of the Agency, whereby (a) the Property is undevelopable as a standalone lot; (b) the purchaser is the adjacent landowner and has the only use for the Property; and (c) the sale of the Property will return the Property to the tax rolls; and

**RESOLVED**, that the sale of the Property by the Agency constitutes an Unlisted action under the State Environmental Quality Review Act ("SEQRA"). After conducting this review, the Agency has determined that the sale of the Property is consistent with social, economic and other essential considerations and will not result in any significant adverse impacts on the environment. The Agency hereby issues a Negative Declaration with respect to the sale of the

property. In doing so, the Agency satisfies the requirements of Part 617 of Title 6 of the New York Code of Rules and Regulations.

**RESOLVED**, that:

1. The Agency agrees to sell the Property described above, consisting of approximately 0.251 acres of land on State Highway 30A in the Town of Johnstown to DJF Motorsports Inc., or its permitted assigns (the "Purchaser") for the sum of Five Hundred Dollars (\$500.00), in accordance with the terms and conditions set forth in the Contract for Purchase and Sale of Real Estate as presented at this meeting; and it is further

2. The Purchaser agrees to pay the Agency's legal fees for this transaction in an amount not to exceed \$500.00.

**RESOLVED**, that the Chairman, or Vice Chairman in his absence, is authorized to execute and deliver a contract of sale, deed, and other such documents as will incorporate the terms set forth above, subject to the approval of the Agency's legal counsel as to form and content.

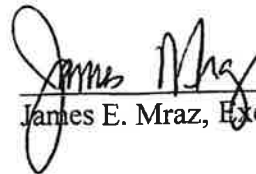
The question of the adoption of the foregoing resolution was duly put to a vote, which resulted as follows:

The foregoing resolution was thereupon declared duly adopted.

AYES: 6  
NAYS: 0  
ABSENT: 1  
ABSTAIN: 0

This is to certify that I, James E. Mraz, Executive Director of the Fulton County Industrial Development Agency, do hereby certify that the foregoing is a true and correct copy and the whole thereof of a Resolution duly adopted by the Fulton County Industrial Development Agency on the 13th day of June, 2023.

In witness whereof, I have hereto set my hand and affixed the official seal of the Fulton County Industrial Development Agency on this 13<sup>th</sup> day of June, 2022.



James E. Mraz, Executive Director