

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

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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
President Pro Tempore 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

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 "Corporation") proposed disposition of real property to the City of Utica (the "City") as described herein is to a political subdivision of New York State, and within the purpose, mission, and governing statutes of the Corporation, and thus is thereby exempted from publicly advertising for bids pursuant to PAL §2897(6)(c)(iv)-(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 Corporation intends to dispose of the property as described herein by negotiation not less than 90 days from the date of this notice.

Section 1 of the Laws of New York, 2008, Chapter 371 (the "Act"), directed the Corporation be formed as a not-for-profit corporation under Sections 402 and 1411 of the Not-For-Profit Corporation Law ("N-PCL" or the "Law"), based upon findings that the development and re-use of the City Harbor Point Redevelopment Area (the "Harbor Area") offered an historic opportunity to expand the local economy, provide job opportunities, expand tourism and recreational related industry and is vital to the growth and prosperity of New York State, the City, and the County. The Corporation was established to partner with the City in undertaking the redevelopment of the Harbor Area to enhance access, appearance, and general aesthetic quality of the Harbor Area by remediating, developing and repurposing the Harbor Area, with the mission and purpose of ultimately attracting new investment and job creation all for the benefit of the City, the residents of the City, and the greater Mohawk Valley Region.

Under the Act, the Corporation acquired fee title to certain lands located adjacent to Harbor Area, including: (i) a certain 4.674 +/- acres of land, as depicted as Lot C in Schedule A attached hereto; (ii) a certain 1.734 +/- acres of land, as depicted as Lot 4 in Schedule A attached hereto; and (iii) a certain .520 +/- acres of land, as depicted as Lot A in Schedule A attached hereto, comprising a total of 6.928 +/- acres of real property (collectively, the "Real Property"). Such Real Property contains a boardwalk, a promenade area, a bulkhead, a parking area, along with other adjacent lands and related appurtenances (the "Promenade").

By way of Resolution dated April 16, 2025, the Corporation resolved to convey fee title to the Real Property and Promenade to the City, in exchange for \$1.00. The Resolution contains certain terms and conditions pursuant to which the Corporation will convey the Real Property to the City, as the Real Property is best suited for the public use, and the City, as the sole member of the Corporation, and the only party uniquely positioned to ensure the public has full access, use, and enjoyment of the Real Property and Promenade thereon, will take ownership and control to operate and maintain the Real Property for the public benefit.

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

Grantor:	Utica Harbor Point Development Corporation
Grantee:	The City of Utica

2) Justification for disposing of Property by negotiation:

The Corporation's mission is to partner with the City to enhance access to, the appearance of, and the general aesthetic quality of the Utica Harbor Point Area by remediating, developing and repurposing the area to create new entertainment, and residential and recreational opportunities that will lead to the attraction of new investment, job creation, and improve the overall quality of life of the citizens of Utica and the surrounding region. The Corporation, in partnership with the City, has 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. It has always

been contemplated that the City, as the sole member of the Corporation, would ultimately obtain title to certain properties in the Harbor Area that are best suited for public space and use, as the City is the only party uniquely positioned to ensure that the Real Property and Promenade thereon is maintained, used, and operated solely for the public's benefit. Thus, it was necessary for the Corporation to negotiate the final terms of the contemplated disposition of the Real Property to the City in order to further the mission and purposes of the Corporation and the Act.

The City has resolved to purchase the Real Property for approximately \$1, being a purchase price less than the Real Property's estimated fair market value. The City will, upon taking title to the Real Property, operate and maintain the Real Property and Promenade thereon to ensure it is used in a manner consistent with the Utica Harbor Master Plan, solely for the public use and benefit of the residents of the City and the greater Mohawk Valley Region.

3) Identification of Property:

The Real Property consists of: (i) 4.674 +/- acres of land, as depicted as Lot C in Schedule A; (ii) 1.734 +/- acres of land, as depicted as Lot 4 in Schedule A; and (iii) .520 +/- acres of land, as depicted as Lot A in Schedule A attached hereto.

4) Estimated Fair Market Value of Property: \$222,000

The Corporation obtained an independent appraisal of the Real Property from Donato Real Appraisal & Consulting on February 24, 2025, that determined the fair market value of the Real Property is approximately \$222,000, being the product of (i) the \$32,000 per acre appraised value of the Real Property and (ii) the 6.928 +/- acreage amount of the Real Property.

5) Proposed Sale Price:

The City of Utica will pay \$1.00 for the Real Property.

6) Size of the Property: 6.928 +/- 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 Corporation reasonably expects to convey the Real Property no sooner than 90 days from the date of this notice.

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

Sincerely,

**UTICA HARBOR POINT
DEVELOPMENT CORPORATION**

By: 
Name: Vincent Gilroy
Title: President

Schedule A

