

RESOLUTION APPROVING FORECLOSURE OF PROPERTY

A regular meeting of the Troy Community Land Bank Corporation (the “TCLB”) was convened pursuant to and was in all respects duly held pursuant to Governor’s Executive Order 202.1 (2020) permits the board to consider the use of telephone conferencing, “to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed; and due notice of the time and place of said meeting was duly given in accordance with the Governor’s Executive Order 202.1 (2020) on July 29, 2020 at 8:30 am o’clock local time, local time.

The meeting was called to order by the Chair of TCLB and, upon roll being called, the following members of the Agency were:

PRESENT:

Heather King	Chair	_____
Suzanne Spellen	Vice-Chair	_____
Sharon Nichols	Treasurer	_____
Brian Barker	Secretary	_____
Andrew Cooper	Member	_____
Jeanette Nicholson	Member	_____
John Cubit	Member	_____
John Carmello	Member	_____
Krystina Marable	Member	_____
Patricia Reilly	Member	_____

WHEREAS, the New York Not-for-Profit Corporation Law §1608(b) authorizes the Albany County Land Bank Corporation (the “Land Bank”) to acquire real property by gift, devise, transfer, exchange, foreclosure, purchase, or otherwise; and

WHEREAS, on December 6, 2018 the Albany County Land bank sold the real property known as **Tax Map ID: 785 River St (90.62-6-10)** and **Tax Map ID: 836 River St (90.62-3-49)** to **SHLT, LLC (Yakov Neustaot)** in the ordinary course of business; and

WHEREAS, pursuant to the Application made by **SHLT, LLC** and Purchase Contract executed and delivered to the Land Bank **SHLT, LLC, (Yakov Neustaot)** was required to complete a full rehab of 785 and 836 River Street; and

WHEREAS, also pursuant to the terms of the submitted application and Purchase Contract, **SHLT, LLC, (Yakov Neustaot)** was required to execute and deliver to the Land Bank, an Enforcement Note and Mortgage requiring the completion of the total rehab by December 6, 2019; and

WHEREAS, the Troy Community Land Bank by and through its Executive Director and General Counsel have made several attempts to obtain status reports and inspections of the property; and

WHEREAS, **SHLT, LLC, (Yakov Neustaot)** failed to respond to the Land Bank's request for status reports and inspections and failed to complete the full rehab of the property by the December 6, 2019, and the rehab continues to be incomplete as of July 29, 2020; and

WHEREAS, **SHLT, LLC, (Yakov Neustaot)** has been and continues to be in default on the terms of his Application, Purchase Contract and the Enforcement Note and Mortgage and has been notified of the same several times, but has failed to cure; and

WHEREAS, Despite demand dated March 18, 2020, **SHLT, LLC, (Yakov Neustaot)** failed to execute a Deed-In-Lieu of foreclosure to secure his performance obligation to complete a full rehab by December 6, 2019; and

WHEREAS, to date, despite demand, **SHLT, LLC, (Yakov Neustaot)** has failed to complete the project, has no active permits for work on the property and no certificate of occupancy has been issued, and he has abandoned the property; and

WHEREAS, pursuant to the terms of the Enforcement Note and Mortgage, The Land Bank desires to exercise its right to foreclose on the property known as **Tax Map ID: 785 River St (90.62-6-10)** and **Tax Map ID: 836 River St (90.62-3-49)**; and

NOW, THEREFORE, BE IT RESOLVED by the Troy Community Land Bank that:

1. The Land Bank shall foreclose on the property located at **Tax Map ID: 785 River St (90.62-6-10)** and **Tax Map ID: 836 River St (90.62-3-49)** pursuant to the terms of the Enforcement Note and Mortgage; and
2. The Chairman and the Executive Director of the Land Bank are each hereby authorized and directed to execute all documents on behalf of the Land Bank which may be necessary or desirable to further the intent of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.
3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Heather King	Chair	VOTING	_____
Suzanne Spellen	Vice-Chair	VOTING	_____
Sharon Nichols	Treasurer	VOTING	_____
Brian Barker	Secretary	VOTING	_____
Andrew Cooper	Member	VOTING	_____
Jeanette Nicholson	Member	VOTING	_____
John Cubit	Member	VOTING	_____
John Carmello	Member	VOTING	_____
Krystina Marable	Member	VOTING	_____
Patricia Reilly	Member	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted unanimously meeting the requirements of the Land Bank's bylaws requiring a majority of the Board approving this resolution.

STATE OF NEW YORK)
) SS.:
COUNTY OF RENSSELAER)

I, the undersigned Secretary of the TROY COMMUNITY LAND BANK CORPORATION DOES HEREBY CERTIFY, that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Land Bank, including the Resolution contained therein, held on July 29, 2020 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Land Bank had due notice of said meeting; (B) said meeting was in all respects duly held pursuant to Governor's Executive Order 202.1 (2020) permits the board to consider the use of telephone conferencing, "to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed; and due notice of the time and place of said meeting was duly given in accordance with the Governor's Executive Order 202.1 (2020); (D) there was a quorum of the members of the Land Bank present throughout said meeting; and (E) Pursuant to the Land Bank Bylaws, a majority of the Board has voted to approve this resolution.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Land Bank this _____ day of July, 2020.

Secretary

(SEAL)