

**A RESOLUTION DETERMINING RESIDENTIAL SIDE LOT PROPERTY
POLICY**

WHEREAS, on February 14th, 2017 the Board of Directors of the Nassau County Land Bank Corporation duly convened a meeting and a quorum existed, and;

WHEREAS, the Board of Directors was requested to approve a resolution regarding residential side lot policy, in accordance with Article 16 of the New York Not-for-Profit Corporation Law (the “Land Bank Act”) and any other applicable federal, state and local laws, and;

WHEREAS, the Board of Directors affirmatively and unanimously voted to adopt official policy related to this subject; now, therefore, be it

RESOLVED, that effective immediately the Nassau County Land Bank Corporation has adopted the Side Lot Program attached hereto:



NASSAU COUNTY LAND BANK CORPORATION

SIDE LOT PROGRAM

PURPOSE

The primary focus of Nassau County Land Bank Corporation (the “Land Bank”) operations is the acquisition of real property that is tax delinquent, tax foreclosed, vacant or abandoned within the jurisdictional boundary of Nassau County.

This program is primarily intended to apply to a single vacant lot or at most two side-by-side vacant lots bounded by adjacent occupied residential structures. As a general rule, vacant lots enhance the value of an adjacent residential property and side lots should be offered first to the adjacent owner, unless there is a demonstrated need for a different use.

This program is intended to be consistent with the Land Bank’s other programs and policies and shall be construed in accordance with Article 16 of the New York Not-for-Profit Corporation Law (the “Land Bank Act”) and any other applicable federal, state and local laws.

PROCEDURE

1. When a residential Side Lot Purchase Application is received by the Land Bank, or when a previously acquired Side Lot is proposed for sale by the Land Bank, staff will research ownership of adjacent properties to determine whether they meet the requirements of the Side Lot Program.
2. First preference will be to an adjacent homeowner defined as an individual or family that owns the building and lives full time in one of the building’s units unless there is a strong need for a different use. Second preference will be to an adjacent owner of a rental property who resides within easy driving distance of the property and either manages the property himself or herself or employs a recognized property management agent. If two owners desire the same property, the Land Bank board will decide using the above criteria and may decide to offer parts of the property to each owner and/or may allow for competing bids to be offered at not less than the greater of all costs of the property to the Land Bank or Fair Market Value as defined in the Real Property Disposition Policy.
3. The residential lot will be offered at Fair Market Value to the qualifying owner. If the owner cannot meet that price because of financial hardship the land bank staff and Board

may follow the existing Real Property Disposition Policy to negotiate a fair price. All final property disposition decisions are made by the Land Bank Board of Directors.

4. Prior to conveyance of the property, the prospective owner is required to submit a Side Lot Purchase Application including a description or plan for use of the lot. If the parcel is to remain green space, the plan can be a very simple sketch showing lawn or other green space, flower or vegetable garden or other compatible and legal uses. No survey or architect's drawing will be required for a green space plan. However, sheds and other accessory, non-residential structures do need to be specified in the plans. The owner is responsible for complying with all applicable municipal policies and regulations. Proposals by the adjacent owner to build or expand an existing residential building on a lot are not covered under this policy.