

**THE RECREATION AND ECONOMIC DEVELOPMENT CORPORATION OF
SUFFOLK COUNTY**

ACQUISITION OF REAL PROPERTY POLICY

Preamble

Section 2824(1)(e) of the Public Authorities Law requires local authorities to adopt a written policy governing the acquisition of real property. The following policy ("Policy") is hereby adopted upon approval by the Board of Directors of The Recreation and Economic Development Corporation of Suffolk County ("Corporation"), and shall be applicable with respect to the acquisition of real property and any interests therein ("Real Property") by the Corporation.

Section 1 – Purpose of Acquisition; Permitted Uses and Acquisitions

- A. **Purpose of Acquisition.** The purpose of each acquisition of Real Property by the Corporation, if any, shall be to further one or more purposes of the Corporation as authorized under the Corporation's enabling legislation, certificate of incorporation, by-laws, or a resolution adopted by the Board of Directors of the Corporation, or for a purpose otherwise permitted under applicable New York State law.
- B. **Permitted Uses.** Real Property may be acquired by the Corporation for use, development, resale, leasing, or other uses designated by the Corporation.
- C. **Permitted Acquisitions.** The only Real Property that the Corporation may acquire is Real Property from the County of Suffolk as approved by resolution of the Suffolk County Legislature. All acquisitions must be first approved by the Board of Directors of the Corporation. Notwithstanding any other provisions of this Policy, no contract for the acquisition of Real Property shall be binding on the Corporation until first approved by the Board of Directors of the Corporation and the Suffolk County Legislature.

Section 2 – Acquisition Procedure

- A. **Acquisition Proposals.** Proposed acquisitions of Real Property shall be presented to the Board of Directors of the Corporation for approval or other appropriate action. If approved by the Board of Directors, the proposed acquisition(s) must be approved by the Suffolk County Legislature by resolution.
- B. **Due Diligence.**
 - i. Prior to each acquisition of Real Property, if any, the Corporation shall conduct such due diligence as it deems appropriate in accordance with the particular circumstances of the proposed acquisition. Such due diligence shall include, but is not limited to, obtaining appraisals and investigating environmental, structural, title, and pricing matters.

- ii. Prior to entering into a contract for the acquisition of Real Property, the Corporation shall obtain two (2) appraisals by Members of the Appraisal Institute (AMI) or other reasonable and professionally prepared valuation projections consistent with then-current industry standards and practices. If the appraisals are materially different, the Corporation may attempt to reconcile the differences in value through determining an average of the two (2) appraisals, or by seeking a third appraisal which shall constitute the final determination of value. The contract price for acquiring Real Property is subject to the approval of the Board of Directors of the Corporation, in its sole discretion.
- C. **Compliance.** All Real Property acquisitions shall be conducted in accordance with this Policy and all applicable New York State and Suffolk County laws, rules and regulations, including the Suffolk County Legislative Requirements and the Suffolk County Comptroller's Rules and Regulations.

Section 3 – Recordkeeping and Outside Services

- A. The Corporation shall maintain a record for each transaction that documents its compliance with this Policy.
- B. The Corporation shall maintain a system of inventory for Real Property under its control.
- C. The Corporation shall procure any outside professional services it deems necessary in connection with a Real Property acquisition, such as title insurance and commercial real estate brokerage services, pursuant to the Corporation's Procurement Policy

Section 4 – Modification or Amendment

- A. This Policy is subject to modification or amendment at the discretion of the Board of Directors of the Corporation and shall be reviewed and filed annually with all local and state agencies as required under all applicable laws and regulations.