



DISPOSITION POLICY AND APPLICATION FORMS

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT



April 2011



TABLE OF CONTENTS



I. Introduction	3
II. Advertisement	3
III. Property Classification	4
A. Class A- Vacant Residential or Commercial Lots	4
B. Class B- Vacant Residential Lots	4
Abutter's Program	5
Community Garden Lease Program	5
C. Class C- Vacant Commercial Lots	5
D. Class D- Residential or Commercial Structures	5
E. Class E- Reserved for Planned Development	6
F. Class F- FEMA Properties	6
G. Class G- Public Facility Properties	6
IV. Offer to Purchase/Submission Requirements	7
A. Organizational	7
B. Capacity	7
C. Financial	7
D. Technical	7
E. Community Involvement	8
V. Evaluation Process	8
VI. Competing Process	8
VII. Rejection of Proposals	9
VIII. Sales Price	9
IX. Discounted Sales to Non-profits and Developers	9
X. Donation of Properties	10
XI. Lease of Vacant Structure	10
XII. Consistency with the Consolidated Plan	10
XIII. Program Income	10
XIV. Notification from the City of Albany, City Attorney	11
XV. Notification from DCED to Risk Management Division	11
XVI. Notification from DCED to Flood Insurance Provider	11
XVII. Applicant Eligibility Requirements	11
XVIII. Affordability and Occupancy Requirement	12
XIX. Monitoring Compliance	12
XX. Maintenance of Properties	13
XXI. Disclaimer and Limitations	13

Attachment A: Disclaimers and Limitations	14
Attachment B: Offer to Purchase City-Owned Property	15
Attachment C: Offer to Lease City-Owned Property	16
Attachment D: Request for Proposal	17

I. INTRODUCTION

The purpose of the Disposition Policy is the disposal of properties owned by the Department of Community & Economic Development (DCED) to relieve the continual financial burden of maintaining the property(ies), and/or for the development of property(ies) for housing, public facilities, and/or economic development.

The Disposition Policy will be administered by the City of Albany, Department of Community & Economic Development.

All offers to purchase DCED-owned property shall be reviewed and accepted/declined by the Property Review Committee. The Committee reserves the right to reject any and all offers or to accept an offer other than the highest offer when the public interest is served thereby and such action is in the best interest of the City of Albany. DCED reserves the right to give priority to purchases at fair market value. Priority shall be given to offers at fair market value.

The property may be disposed of through the following:

- a) Sale
- b) Lease
- c) Auction
- d) Donation

In disposing of DCED properties, one of the following HUD National Objectives must be met:

- Benefiting low and moderate income persons;
- Preventing or eliminating slums or blight; or
- Meeting other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

DCED will maintain a list of all DCED-owned properties, including information regarding size, zoning, assessed value, legal description, and any other data pertinent to the status and disposition of the properties.

Disposing of DCED properties should meet the following objectives:

- To increase the supply of affordable housing, particularly for homeownership.
- To strengthen neighborhoods by increasing the rate of homeownership.
- To return publicly-owned properties to the tax base.
- To relieve DCED from on-going maintenance and upkeep responsibilities.

II. ADVERTISEMENT

The Department of Community & Economic Development (DCED) will advertise its properties utilizing any of the following procedures:

- City of Albany Webpage
- Local Government Access Channel

- Local Newspapers

DCED reserves the right to contract with a real estate broker or other marketing agency for disposition of DCED-owned properties.

III. PROPERTY CLASSIFICATIONS

The Department of Community & Economic Development (DCED) owns an array of properties. They will be classified according to the following categories:

- Class A – Vacant Residential or Commercial Lots (Buildable)
- Class B – Vacant Residential Lots (Deficient)
- Class C – Vacant Commercial Lots (Deficient)
- Class D – Residential or Commercial Structures
- Class E – Reserved for Planned Development
- Class F – FEMA Properties
- Class G – Public Facility Properties

These classifications are intended to serve as a guide and to identify the property type and its potential use; however, the property classifications for DCED properties may change in order to allow the highest and best use of DCED property.

A. Class A – Vacant Residential or Commercial Lots (Buildable)

These are vacant lots that are buildable lots per the Albany-Dougherty County Zoning Ordinance. Considering the need to maintain the City's housing density and residential tax base, any buildable residential lot shall be marketed for housing development at its highest and best use. For housing development, DCED will establish time constraints and benchmarks (as outlined in the contractual agreement) based upon the nature of the proposed project.

For commercially zoned lots, preference will be given to offers for the purpose of commercial development with emphasis on job creation and retention as well as overall property investment.

A Development Agreement will be a condition of the sale for Class A Residential and Commercial Properties sold for development.

The prospective purchaser shall be responsible for obtaining any necessary permits, licenses, changes to zoning, or variances, in order to accomplish their intended use of the property. Costs, including but not limited to, soil testing, environmental or engineering studies, surveys, title insurance, appraisals, or recording of documents will be borne by the purchaser unless otherwise agreed to by the City. The full purchase price, including closing costs (if applicable) must be paid by the prospective purchaser at closing within thirty (30) days of receipt of notification of acceptance offer from DCED.

B. Class B – Vacant Residential Lots (Deficient)

These are vacant lots that are too small to support a structure under the Albany-Dougherty County Zoning Ordinance. The lot may also be one deemed irregular in layout and not suitable for housing construction.

*If at any time the property is not utilized as outlined in the deed restrictions or covenants running with the land, the Department of Community & Economic Development (DCED)

reserves the right to recover ownership of the property. No monies will be returned or refunded to the purchaser/lessee(s).

These lots will be disposed of as follows:

Abutter's Program

- 1) Offer to any abutting property owner(s) for a minimum bid of \$300.
- 2) If there is more than one abutting property owner seeking to purchase the lot, sealed bids for the lot shall be received from the abutting owners with the lot being awarded to the highest bidder.
- 3) If no bids are received from adjoining owners, the lot will be advertised on the open market with minimum bid of \$300.

It shall be the responsibility of the successful purchaser to contact the City of Albany, Planning & Development Services Department to have said property(ies) legally subdivided per the Albany-Dougherty County Subdivision Regulations.

Any unbuildable lot(s) purchased shall comply with all applicable zoning regulations and deed restrictions or covenants running with the land. If at anytime, the lot is not utilized as outlined in the deed restrictions or covenants running with the land, the Department of Community & Economic Development (DCED) reserves the right to recover ownership of the lot. No monies will be returned or refunded to the purchaser.

Community Garden Lease Program

Lots may be leased (for one year, renewable annually) to any abutting property owner(s), neighborhood association, or civic group(s) in the immediate area of the vacant property. Lots may be leased annually for \$1.00 to an eligible organization.

Any proposed activity must be approved by DCED and is subject to all applicable ordinances and zoning requirements.

C. Class C- Vacant Commercial Lots (Deficient)

These are vacant lots that are deficient according to the Albany-Dougherty County Zoning Ordinance. The lot may also be deemed irregular in layout and certain commercial development may not meet zoning regulations. These properties will be marketed for eligible commercial development at its highest and best use.

These properties may be offered for sale to the abutting property/business owner(s). The minimum sales price for each property shall be at least its tax assessed fair market value or independent appraisal, whichever is the lesser.

D. Class D – Residential or Commercial Structures

1. Structures that meet all code requirements will be sold through submission of a detailed proposal as outlined within this Policy with the minimum sales price being at least the tax assessed value or the appraised value of the property(ies), whichever is the lesser. Preference for the sale of these residential structures shall be given to income eligible low and moderate income prospective homebuyers.
2. Structures that do not meet all code requirements will be sold through submission of a detailed proposal as outlined within this Policy with the minimum sales price being at least the tax assessed value or the appraised value of the property(ies), whichever is the lesser. The City may also take into account the cost of repairs. A Development Agreement will be required to insure the repairs are made. Preference for the sale of

these residential structures shall be given to income eligible low and moderate income prospective homebuyers.

3. Structures that are located in an historic district or business district will be subject to a request for proposals with the selection of the successful non-profit/developer determined by a strict set of development standards. Successful approval from the Albany Historic Preservation Board and City of Albany Commission must be sought prior to sale. A development agreement may also be required to ensure compliance with the Albany Historic Preservation Board.

All development must at the time of completion, at a minimum, comply with all local building codes, rehabilitation standards, ordinances, and zoning requirements. The goal is to provide decent, safe, sanitary and housing free of lead hazards at an affordable cost to low and moderate income households.

* If at anytime, the property is not utilized as outlined in the deed restrictions or covenants running with the land, the Department of Community & Economic Development (DCED) reserves the right to recover ownership of the property. No monies will be returned or refunded to the purchaser.

E. Class E – Reserved for Planned Development

These are vacant residential or commercial lots which are part of a redevelopment strategy or plan and will be disposed of in a manner determined by the Department of Community & Economic Development (DECD). These lots will be reserved for a time period established by DCED and any proposed development must be consistent with the Consolidated Plan.

F. Class F – FEMA Properties

Vacant properties which are designated as FEMA properties are those for which the City of Albany acquired through purchase with Federal Emergency Management Agency funds. Sale of these properties is prohibited.

FEMA properties may be leased (for one year, renewable annually) to any abutting property owner(s) or neighborhood association or civic group(s) in the immediate area of the vacant property. FEMA properties may be leased for \$1.00 annually.

Any proposed activity must be approved by DCED and is subject to all applicable ordinances and zoning requirements.

G. Class G – Public Facility Properties

Interested non-profits (with IRS designated 501(c)(3) status) may lease a City-owned public facility building at a cost of \$1 (for one year, renewable annually) as specified within the contractual agreement. The non-profit shall be chosen through a competitive process that evaluates factors including but not limited to the percentage of program beneficiaries that are low and moderate income and the CDBG National Objectives being met. *See page 8 of this Policy: XI. Lease of Vacant Structures.*

IV. OFFER TO PURCHASE/SUBMISSION REQUIREMENTS

All interested non-profits and/or for profit developers must submit the (1) Offer to Purchase or Lease DCED-owned Property Form. Offers must contain the total purchase price of the property, the name(s) as they are to appear on a deed, the proposed use of the property, an address and telephone number of purchaser, and must be signed by the person submitting the offer. DCED will consider options to purchase if the terms of such offers are acceptable. *See Attachments B or C for the form.*

(2) Additionally, all interested non-profits and/or for profit developers must submit three (3) copies of a proposal to the Department of Community & Economic Development, 230 South Jackson Street, Suite 315, Albany, Georgia 31701 to include the following information specified below:

A. Organizational

1. A copy of the organization's articles of incorporation, bylaws and 501(c)(3) determination letter.
2. The organization's EIN and Tax ID numbers.
3. The names, addresses and telephone numbers of all Board members.
4. A resolution by the Board approving the request.
5. A copy of the organization's most recent audit, which shall not be more than two years old.
6. The name, address, telephone number, fax number and e-mail address (if available) of the representative authorized to act on behalf of the purchaser in responding to questions or providing additional information.

B. Capacity

1. A listing by address of affordable housing produced within the past five years.
2. Names, addresses, and telephone numbers of consultants or other professionals who will be a part of the development team.
3. If rental housing is proposed, the name and qualifications of the management agent.

C. Financial

1. An annual audited corporate financial statement and an un-audited year to date financial statement for the most recent month end for all entities comprising the development team.
These documents shall be submitted in a sealed envelope clearly marked "confidential."
2. A complete source of use of funds summary.
3. Firm financial commitments for construction and permanent financing.
4. For homeownership projects, the projected sales price of the unit(s).
5. For rental projects, a Proforma indicating a debt coverage ratio of not less than 1.15.

D. Technical (New Construction)

1. A scaled site plan. Should the development be a phased project, each phase must be identified.
2. Proposed floor plans and elevations.
3. The proposed construction schedule.
4. A description of energy efficiency features and/or ratings.
5. Cost estimates by line item.

6. A description of the approach to the development of the property(ies) including identification of key milestones and a strategy for developing the site. The strategy should address the comprehensive range of activities including, but not limited to, project conceptualization, market research, physical planning, development budget preparation, investment analysis, marketing, leasing, construction management and operations planning. This outline should also identify any critical issues related to pre-development analysis for the development site and strategies that would be utilized to resolve each issue. Also, include the average timetable for each major task and obstacles to be resolved.
7. The name and qualifications of all professionals, contractors, etc. who are part of the development/construction team.
8. At least three (3) letters of reference from homeowners and/or organizations for which new construction of housing has been conducted.
9. Furnish a copy of current business license from the City of Albany.
10. Furnish a copy of current references from three (3) subcontractors.
11. Furnish copy of current liability insurance.
12. Furnish copy of current worker's compensation insurance.
13. Furnish copy of current Residential Building License from the State of Georgia.
14. A criminal background check will be conducted on all applicants. The applicant must have no history of criminal activity which could adversely affect the health, safety, or welfare of residents.

E. Community Involvement

1. Provide a brief description of efforts undertaken to improve the community.

V. EVALUATION PROCESS

The Department of Community and Economic Development (DCED) will review all proposals to verify responsiveness to the minimum submission requirements specified above. Incomplete proposals will not be accepted.

The department will utilize a Review Committee to evaluate proposals. Only proposals which meet the above criteria and are recommended by the Review Committee will be considered for disposition. Each proposal will be evaluated to ensure it is consistent with local needs for affordable housing for low to moderate income households. The evaluation will review whether the proposed use fills a demonstrated need as evidenced by consistency with the Consolidated Plan for the City of Albany.

Within ten (10) days of a recommendation by the Review Committee, DCED will notify the prospective purchaser of the Committee's recommendation.

Prospective purchasers who do not agree with the determination of the Review Committee may appeal to the Department of Community & Economic Development, Director within five (5) days of notification of the Committee's recommendation.

VI. COMPETING PROPOSALS

If two or more developers submit proposals for a given parcel, the Review Committee will consider the following scoring factors to help select among competing proposals:

- a) The proposed project is for homeownership (up to 10 points).
- b) The applicant has firm financial commitments for construction financing (up to 10 points).
- c) The applicant proposes the use of superior building materials such as brick, hardiplank, or

- extended life architectural roofing shingles (up to 10 points).
- d) Energy efficiency features or standards above the minimum requirements as specified by DCED and recommended by HUD (up to 10 points).
- e) Documentation verifying quality and timely completion of previous projects (up to 10 points).

VII. REJECTION OF PROSPALS

The City reserves the right to reject any or all submissions, to waive informalities and irregularities in proposals received, and to accept any portion of any submittal or all items proposed if deemed in the best interest of the City to do so.

VIII. SALES PRICE

The sales price for which DCED property shall be disposed of shall be through one of the following methods:

- a) Independent Appraisal and/or
- b) Discount of Appraisal

The City reserves the right in determining which method is more feasible. The minimum sales price being at least the tax assessed value or the appraised value of the property(ies), whichever is the lesser.

Properties sold for less than fair market value will contain restrictive covenants within the deed. If at anytime, the property is not utilized as outlined in the deed restrictions or covenants running with the land, the Department of Community & Economic Development (DCED) reserves the right to recover ownership of the property. No monies will be returned or refunded to the purchaser.

Unless a mutually agreeable sales price is reached between DCED and the prospective buyer, disposition of the property(ies) will not occur. All sales notifications to prospective purchasers will be made in writing by DCED. The full purchase price, including closing costs (if applicable) must be paid by the prospective purchaser at closing, unless otherwise agreed to by the City of Albany.

Prospective buyer(s) are required to provide to the City of Albany, City Attorney's Office a minimum of 10% earnest money deposit in the form of a certified check as good faith toward the purchase of DCED property(ies).

The earnest money deposit mentioned above is to be held by the City of Albany, City Attorney's Office or a designated attorney as specified by the DCED in its non-interest trust account. Said earnest money will be held until the transaction is completed or fails to close. If the prospective buyer(s) is unable to complete this purchase, the earnest money may, at DCED's sole discretion, be forfeited as liquidated damages and DCED may elect to pursue any other remedy available at law or in equity, if any.

Should the sale close, the earnest money deposit shall be credited against the purchase price due to DCED at closing. The balance of the purchase price, in the form of a certified check, shall be forwarded to the City Attorney's Office or a designated attorney as specified by DCED on or before closing.

IX. DISCOUNTED SALES TO NON-PROFITS AND DEVELOPERS

Vacant, buildable lots or residential structures purchased by a nonprofit organization or a developer may be discounted by up to 30% of the appraised value of the property(ies) when the benefit is to construct or provide affordable housing to low and moderate income eligible households whose

income is 80% and below the area median income. The housing provided must remain affordable to income eligible households for a time period specified within the contractual agreement.

X. DONATION OF PROPERTIES

The City of Albany, Department of Community & Economic Development (DCED) may donate properties to eligible non-profits, civic groups, neighborhood associations, or developers should the proposed project/activity meet a community benefit, serve low and moderate income persons, or eliminate slum and blight. All proposed projects/activities must meet approval of DCED prior to donation of the property.

Interested parties seeking property donation from DCED must submit the necessary submission requirements as identified in Section IV of this Policy.

DCED reserves the right to consider donation of properties to eligible non-profits, civic groups, neighborhood associations, or developers through a Request for Proposal (RFP) on an annual or semi-annual basis.

* If at any time the property is not utilized as outlined in the deed restrictions or covenants running with the land, the Department of Community & Economic Development (DCED) reserves the right to recover ownership of the property.

XI. LEASE OF VACANT STRUCTURES

Vacant structures owned by the City of Albany, Department of Community & Economic Development, within specific locations may be available for lease for a minimum cost of \$1.00 (for one year, renewable annually or as specified within the contractual agreement) to non-profits (with IRS designated 501(c)(3) status) that provide a community benefit and serve low and moderate income persons. Proposed activities of the non-profit must meet one of HUD's national objectives as identified in this Policy.

Additionally, the lessee(s) must assume rehabilitation and maintenance costs and also purchase and maintain property insurance coverage for the structure. The insurance coverage must meet the approval of DCED prior to leasing the structure, and proof of the insurance policy must be provided to DCED prior to occupancy.

Proof of IRS designated 501(c)(3) status) must be provided upon application of lease of a public facility. Submission of quarterly reporting to DCED is required by the non-profit to ensure compliance with federal, state, and local regulations.

XII. CONSISTENCY WITH THE CONSOLIDATED PLAN

All proposed developments and requests for purchase of DCED properties must be consistent with the objectives and goals outlined within the City of Albany, Consolidated Plan.

XIII. PROGRAM INCOME

Any program income (proceeds from the sale of a property less disposition costs) earned from the sale of a housing unit(s) must be documented by the non-profit and/or developer and reported to the City of Albany, Department of Community & Economic Development (DCED) within fifteen (15) days of the closing date. This program income, as outlined in the contractual agreement between the DCED and the initial purchaser, may be retained by the non-profit and/or for profit developer to further produce affordable housing (which has been pre-approved by DCED) for households whose income is 80% and below the area median income.

The program income must be placed in a separate, non-interest bearing bank account in the ownership of the non-profit and/or developer. Documentation (bank statements) must be provided to DCED on a monthly basis until all program income has been expended as outlined above. Non-compliance with this provision shall permit DCED to recover the program income.

XIV. NOTIFICATION FROM THE CITY OF ALBANY, CITY ATTORNEY:

Upon acceptance of a mutually agreeable sales price and/or transfer of ownership, DCED will notify the City of Albany, City Attorney. The City Attorney will prepare the Housing Urban and Development 1 (HUD 1) closing statement to record the purchase and sale of property by DCED. A copy of the HUD 1 closing statement will serve as notification of the purchase or sale of real property. This document includes the information required to properly record or remove real property on the fixed asset records:

- Date of purchase or sale
- Purchaser
- Seller
- Property address or location
- Sales price
- Any expenses paid as part of the closing

Copies of recorded deeds will be sent to the Property Control Officer by the City Attorney's Office. The Property Control Officer will be responsible for forwarding the recorded deeds to the Dougherty County Tax Department to update its records and remove ownership of the property(ies) from the City, Department of Community & Economic Development.

All closings shall be conducted by the City of Albany, City Attorney's Office or a designated attorney as specified by DCED.

XV. NOTIFICATION FROM DCED TO RISK MANAGEMENT DIVISION

The Department of Community & Economic Development (DCED) will notify the City of Albany, Risk Management Division of any sales of real property to remove the property(ies) from the City's/DCED's inventory for maintenance of insurance (if applicable). The prospective purchaser will be responsible for purchasing insurance for the applicable property(ies).

XVI. NOTIFICATION FROM DCED TO FLOOD INSURANCE PROVIDER

If applicable, the Department of Community & Economic Development (DCED) will notify flood insurance provider(s) of any sales of real property to remove the property(ies) from the City's/DCED's inventory for maintenance of flood insurance. The prospective purchaser will be responsible for purchasing flood insurance for the applicable property(ies), and proof of the policy must be provided to DCED prior to occupancy.

XVII. APPLICANT ELIGIBILITY REQUIREMENT

Eligible applicants who may purchase *Class A* real estate properties owned by DCED shall be:

- A. A non-profit organizations (as designated by the Internal Revenue Service) with demonstrated capacity in the production of affordable housing. For the purpose of this Policy, "demonstrated capacity" is defined to mean that applicants must have successfully created not less than five affordable housing units within the past five years by way of new construction, acquisition/substantial rehabilitation (as defined

by the Zoning Ordinance), or an applicant is able to show comparable capacity through association with an experienced development consultant or through a partnership with a non-profit organization having demonstrated capacity. For the purpose of this Policy, “association” is defined as having successfully partnered with an experienced development consultant for a period of not less than two years (partnership initiatives must be corroborated to include written verification from the development consultant) in producing affordable housing units by way of new construction, acquisition/substantial rehabilitation (as defined by the Zoning Ordinance).

- B. A local developer with a proven record of construction or substantial rehabilitation of affordable housing. A local developer is an individual or organization with demonstrated capacity in the production of affordable housing. Preference shall be given to local developers; however, DCED may also accept offers from non-local developers. Non-local developers must also have demonstrated capacity in the production of affordable housing.

XVIII. AFFORDIBILITY AND OCCUPANCY REQUIREMENTS

All real estate property sold pursuant to this Policy must be occupied by persons with incomes at or below 80% of the area median income. Prospective purchasers who acquire property under this Policy must obtain a building permit within twelve (12) months and obtain a Certificate of Occupancy (CO) within twenty-four (24) months of acquisition.

Failure by the prospective buyer to comply with these deadlines may result in recovery of ownership by DCED in accordance with restrictive covenants in the deed conveying ownership from DCED to the prospective buyer.

All such property must remain affordable for the time period specified in the HOME regulations and/or in accordance with covenants in the deed of title from the City to the prospective buyer, with the period of affordability beginning on the date the Certificate of Occupancy is issued.

XIX. MONITORING COMPLIANCE

The Department of Community & Economic Development (DCED) will monitor disposition transactions annually to ensure compliance with contractual agreements, restrictive covenants, and other applicable local, state, and federal regulations.

Submission of quarterly reporting to DCED is required by the non-profit to ensure compliance with federal, state, and local regulations. Through the period of affordability as stipulated within the contractual agreement, residential certification (performed by DCED) of occupants of purchased DCED properties may be required annually to ensure compliance with HUD regulations.

DCED reserves the right to recover ownership of a property(ies) determined to be in noncompliance, and no monies will be returned or refunded to the purchaser/lessee.

On a quarterly basis, the Community Planner will provide an inventory listing of all DCED properties disposed of to the Property Control Officer for the City of Albany for tracking and inventory assessment.

XX. MAINTENANCE OF PROPERTIES

The City of Albany will maintain all properties owned by DCED until the properties are sold leased, or donated.

XXI. DISCLAIMER AND LIMITATIONS

Properties will be sold “as is - where is”, via quit-claim deed. DCED will not guarantee title, nor conduct any soil testing, environmental or engineering studies, surveys or in any way attest to the usability of the property. Prospective buyers should conduct title searches on interested properties prior to purchase; however, DCED, at its discretion, may opt to conduct title searches on properties it deems necessary prior to sale.

The prospective buyer will be responsible for obtaining any necessary permits, licenses, changes to zoning, or variances in order to accomplish their intended use of the property. Costs, including but not limited to, soil testing, environmental or engineering studies, surveys, title insurance, appraisals, or recording of documents will be borne by the prospective buyer unless otherwise agreed to by DCED.

See the full disclaimer and limitations in *Attachment A*.



**CITY OF ALBANY, GA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
DISPOSITION POLICY – DISCLAIMERS AND LIMITATIONS
ATTACHMENT A**



Disclaimers and Limitations:

The Purchaser fully acknowledges the statutes, limitations, covenants, and provisions set forth by the City of Albany Disposition Policy, and whereby, from henceforth agrees to abide by all guiding regulations as determined by the respective bodies of the City of Albany Department of Community and Economic Development (DCED) and the U.S. Department of Housing and Urban Development (HUD). Purchaser agrees to buy the Property in its present condition, as conveyance of the Property shall be made by Seller to Purchaser on an “as is, where is” basis, with no warranty of condition of habitability or material fitness for a particular purpose of the property, implied or intended. Seller hereby specifically disclaims any warranty or representation thereof, as regarding said Property, any affirmation of the nature and condition of the Property, in part or whole, pertaining but not limited to, its water, soil, or geologic composition, or the suitability of any and all activities and uses the Purchaser may elect to conduct on said Property. Purchaser bears the responsibility for its own examinations and inspections of the Property, thus absolving the Seller against recourse, whether in right, claim, or cause of action, with which Purchaser may have against Seller with respect to environmental conditions existing at the Property on the date of closing. Seller does not warrant either clear title to the Property or in any way, suggests or implies the feasibility of attaining clear title. The provisions set forth by this paragraph, holistically bound to other stipulations as stated by local and federal regulation, shall carry valid weight in perpetuity, signaled by the execution of the deed by Seller and the closing of the transaction contemplated by this agreement.



CITY OF ALBANY, GA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
DISPOSITION POLICY – OFFER TO PURCHASE CITY-OWNED PROPERTY
ATTACHMENT B



Date of Submission: ____/____/____

I, _____, currently
(Name or Names to be recorded on deed)

located at _____ reached by _____
(Address, City, State) (Phone #)

am submitting an offer to purchase City-owned property located at:

_____, hereinafter referred to as "Property,"
(Address)

for the sum of \$ _____ cash.

If purchased, I would utilize the Property in the following way:

Disclaimers and Limitations: The Purchaser fully acknowledges the statutes, limitations, covenants, and provisions set forth by the City of Albany Disposition Policy, and whereby, from henceforth agrees to abide by all guiding regulations as determined by the respective bodies of the City of Albany Department of Community and Economic Development (DCED) and the U.S. Department of Housing and Urban Development (HUD). Purchaser agrees to buy the Property in its present condition, as conveyance of the Property shall be made by Seller to Purchaser on an "as is, where is" basis, with no warranty of condition of habitability or material fitness for a particular purpose of the property, implied or intended. Seller hereby specifically disclaims any warranty or representation thereof, as regarding said Property, any affirmation of the nature and condition of the Property, in part or whole, pertaining but not limited to, its water, soil, or geologic composition, or the suitability of any and all activities and uses the Purchaser may elect to conduct on said Property. Purchaser bears the responsibility for its own examinations and inspections of the Property, thus absolving the Seller against recourse, whether in right, claim, or cause of action, with which Purchaser may have against Seller with respect to environmental conditions existing at the Property on the date of closing. Seller does not warrant either clear title to the Property or in any way, suggests or implies the feasibility of attaining clear title. The provisions set forth by this paragraph, holistically bound to other stipulations as stated by local and federal regulation, shall carry valid weight in perpetuity, signaled by the execution of the deed by Seller and the closing of the transaction contemplated by this agreement.

 (Purchaser Signature)

 (Purchaser Signature)

Acceptance by the City for Offer to Purchase:

 (Signature of Representative)

 (Position within Department)



**CITY OF ALBANY, GA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
DISPOSITION POLICY – OFFER TO LEASE CITY-OWNED PROPERTY
ATTACHMENT C**



Date of Submission: ____/____/____

I, _____, currently
(Name or Names to be recorded on deed)

located at _____ reached by _____
(Address, City, State) (Phone #)

am submitting an offer to lease and/or lease purchase City-owned property located at:
_____, hereinafter referred to as “Property,”
(Address)

for the sum of \$ _____ cash.

If leased, the facility will be utilized for the following type’s services:

The following are year-to-date (YTD) accomplishments expected during the lease and/or lease purchase:

The Number of Households/Clients Served at the Facility _____

The Types of Clients Served _____

Identify Staff with Position Titles _____

The Sources of Funding to Provide the Services _____

Disclaimers and Limitations: The Purchaser fully acknowledges the statutes, limitations, covenants, and provisions set forth by the City of Albany Disposition Policy, and whereby, from henceforth agrees to abide by all guiding regulations as determined by the respective bodies of the City of Albany Department of Community and Economic Development (DCED) and the U.S. Department of Housing and Urban Development (HUD). Purchaser agrees to buy the Property in its present condition, as conveyance of the Property shall be made by Seller to Purchaser on an “as is, where is” basis, with no warranty of condition of habitability or material fitness for a particular purpose of the property, implied or intended. Seller hereby specifically disclaims any warranty or representation thereof, as regarding said Property, any affirmation of the nature and condition of the Property, in part or whole, pertaining but not limited to, its water, soil, or geologic composition, or the suitability of any and all activities and uses the Purchaser may elect to conduct on said Property. Purchaser bears the responsibility for its own examinations and inspections of the Property, thus absolving the Seller against recourse, whether in right, claim, or cause of action, with which Purchaser may have against Seller with respect to environmental conditions existing at the Property on the date of closing. Seller does not warrant either clear title to the Property or in any way, suggests or implies the feasibility of attaining clear title. The provisions set forth by this paragraph, holistically bound to other stipulations as stated by local and federal regulation, shall carry valid weight in perpetuity, signaled by the execution of the deed by Seller and the closing of the transaction contemplated by this agreement.

(Purchaser Signature)

(Purchaser Signature)

Acceptance by the City for Offer to Purchase:

(Signature of Representative)

(Position within Department)



**CITY OF ALBANY, GA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**



**DISPOSITION POLICY –REQUEST FOR PROPOSAL
ATTACHMENT D**

Date of Submission: ____/____/____

Project Name (if applicable): _____

Site Address:

Street

City

State

Zip

A. Applicant Information (Owner Entity)

Name:

Address:

Street

City

State

Zip

Contact Person:

Home Phone # () _____ Work Phone # () _____ FAX # () _____

1.) Legal Ownership Entity

- General Partnership
- Individual
- Non-Profit Organizations (IRS 501(c)3 Approved)
- Corporations
- Limited Partnership
- Other _____

2.) Legal Status of Organization

- Currently Exists
- To Be Formed
- N/A
- Estimated Date of Filing: _____

B. Development Description

1.) Type of Proposed Development (check all that apply)

- Single Family
- Duplex
- Multi-family: 4 units or less/more than 4 units (circle one)

2.) Physical Characteristics of Development

- a. Construction Type
 - New Construction
 - Rehabilitation (Modernization)
 - Historic (Sensitive Rehabilitation – please refer to the City of Albany Design Guidelines)

- b. Degree of Change
 - Moderate
 - Substantial
 - Conversion (from intended to new use)

- c. Building Type

<input type="checkbox"/> Townhouse	<input type="checkbox"/> Duplex
<input type="checkbox"/> Single-Detached	<input type="checkbox"/> Apartments
<input type="checkbox"/> Manufactured	

3.) Occupancy Type

- Rental
- Homeownership

4.) Number of Buildings: _____ Number of Units: _____ Number of Stories: _____

Are the buildings contiguous? Yes No

If no, please describe the proximity of the sites to each other.

5.) Project Specification

- a. Total of All Buildings (in sq. ft.) _____
- b. Gross Building area _____
- c. Gross Residential and Related Areas _____

- d. Gross Commercial and Related Areas _____
- e. Total Land Area _____
- f. Total Number of Parking Spaces _____
- g. Average Unit Size (in sq. ft.) _____
- h. Other Areas (explain, if applicable) _____

6.) Building Description

	<u>Existing</u>	<u>Proposed</u>
Structural System	_____	_____
Exterior Fabric	_____	_____
Fenestration	_____	_____
A/C System	_____	_____
Number of Elevators	_____	_____
Additional Information:		

7.) List community facilities and amenities planned for the development. Continue on separate attachment, if necessary.

8.) Site Information

- a. Lot size _____ sq. ft.
- b. Zoning
 - i. Present Zoning Classification: _____
 - ii. Is multi-family a permitted use? Yes No
- c. Is the site located within a Historic District? Yes No
 - i. If yes, is it a contributing or non-contributing building?
 - Yes No
 - ii. If yes, do you plan to seek historical designation and tax credit?
 - Yes No

9.) Existing Building(s)

a. Is the demolition, in part or whole, of any buildings planned?

- Yes No

If yes, describe _____

b. Will proposed work drastically alter its original appearance, in the replacement of siding, roofing material, window/door openings, or increase of building footprint?

- Yes No

If yes, describe _____

10.) Describe the population the project will be attempting to serve.

11.) Development Team

a. Attorney:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

b. Owner:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

c. Architect:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

d. Sponsor:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

e. Contractor:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

f. Management Agent:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

g. Consultant:

(Firm)

(Name)

(Street)

(City/State/Zip)
() _____ () _____
(Phone) (Fax)

12.) Project Summary

- a. Applicant's Experience – Indicate all housing development projects completed by applicant.
(Attach separate sheet if necessary.)

C. Development Costs

Proposed Acquisition Price: \$ _____
 Land \$ _____
 Buildings \$ _____
Subtotal: \$ _____

Construction Costs: \$ _____

Soft Costs:
 Architectural/Engineering Fees \$ _____
 Legal Fees \$ _____
 Accounting Fees \$ _____
 Admin/Development Fees \$ _____
 Survey \$ _____
 Title Work \$ _____
 Taxes \$ _____
 Insurance \$ _____
 Relocation \$ _____
 Other \$ _____
Subtotal: \$ _____

Miscellaneous Costs:
 Developer Fee \$ _____
 Project Reserve \$ _____
Subtotal: \$ _____

Contingency: \$ _____
Subtotal: \$ _____

TOTAL PROJECT COSTS: \$ _____

D. Source of Funds

Source of Funds	Amount	Use of Funds	Status(Circle)
1.			Secured/Pending
2.			Secured/Pending
3.			Secured/Pending
4.			Secured/Pending
5.			Secured/Pending
6.			Secured/Pending

