

LAW DEPARTMENT  
Telephone: (716) 286-4420

February 20, 2020

The City Council  
Niagara Falls, New York

*RE: Reimbursement to Mr. Toan V. Kim – 2016 In Rem Purchase  
6100R Niagara Falls Blvd – SBL 160.07-3-40; Ward 15 Pro 6007B*

Council Members:

The above reference property was included in the In Rem proceeding and was subject to the auction on October 9, 2019.

Due to extenuating circumstances involving the property owner, it was discovered after the auction that the property was landlocked which prevented access to it without trespassing on private property.

It is recommended that the Council vote to reject the successful bid for this property at the auction and direct the City Controller to refund the deposit and auctioneer fee to the bidder, Toan V. Kim. We have recently learned that the owner of the adjacent property, SGL Carbon, is interested in acquiring the aforementioned parcel and reuniting it with the plant parcel. Should the bid be rejected and the auctioneer fee refunded, the City will then pursue sale of the property to the adjacent property owner.

Will the Council so approve?

Respectfully submitted,

CHRISTOPHER M. MAZUR  
Corporation Counsel

Kennedy \_\_\_\_\_ Spanbauer \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Voccio \_\_\_\_\_