

City of Niagara Falls - City Owned Real Estate Auction #36218
Auction Opens: Wed, Feb 7 12:00pm ET

Auction Closes: Wed, Feb 21 10:00am ET

Lot	Title	Lot	Title
0000A	You Cannot Place Bids Until...	0030	2201 Falls St
0000B	Test Bidding Here	0031	1640 Falls St
0000C	Auction Terms & Conditions	0032	1931 Falls St
0000D	ANNOUNCEMENT	0033	1943 Falls St
0001	2014 11th St	0034	1947 Falls St
0002	2212 11th St	0035	1917 Ferry Ave
0003	1718 13th St	0036	1143 Garden Ave
0004	1503 15th St	0037	1146 Garden Ave
0005	2324 15th St	0038	1304 Garden Ave
0006	2326 15th St	0039	5648 Girard Ave
0007	2311 16th St	0040	5650 Granby Ave
0008	2327 16th St	0041	5656 Granby Ave
0009	1307 18th St	0042	1014 Grove Ave
0010	2112 18th St	0043	1103 Grove Ave
0011	1013 19th St	0044	1152 Grove Ave
0012	1509 8th St	0045	2815 Highland Ave
0013	1325 Ashland Ave	0046	3408 Highland Ave
0014	1330 Ashland Ave	0047	3615 Highland Ave
0015	1054 Center Ave	0048	3712 Highland Ave
0016	1162 Center Ave	0049	3508 Highland Ave
0017	1338 Center Ave	0050	2512 Highland Ave
0018	1340 Center Ave	0051	2514 Highland Ave
0019	1050 Center Ave	0052	2516 Highland Ave
0020	1050 Cleveland Ave	0053	3610 Highland Ave
0021	1951 Cudaback Ave	0054	3614 Highland Ave
0022	5653 Devlin Ave	0055	3632 Highland Ave
0023	5659 Devlin Ave	0056	3700 Highland Ave
0024	5663 Devlin Ave	0057	3110 Highland Ave
0025	1750 Elmwood Ave	0058	2439 Lasalle Ave
0026	1019 Fairfield Ave	0059	1117 Linwood Ave
0027	1018 Fairfield Ave	0060	1376 Linwood Ave
0028	1128 Fairfield Ave	0061	1626 Linwood Ave
0029	1133 Fairfield Ave	0062	1731 Lockport St

Lot	Title	Lot	Title
0063	2322 Mackenna Ave	0107	1654 Weston Ave
0064	*Lot Updated* 441 Mackenna Ave	0108	1310 Whitney Ave
0065	*Lot Updated* 2448 Mackenna Ave	0109	1703 Whitney Ave
0066	*Lot Updated* 2459 Mackenna Ave	0110	1118 Willow Ave
0067	*Lot Updated* 2478 Mackenna Ave	0111	1132 Willow Ave
0068	*Lot Updated* 2490 Mackenna Ave	0112	1140 Willow Ave
0069	*Lot Updated* 2101 Main St	0113	1143 Willow Ave
0070	2783 Mckoon Ave	0114	1329 Willow Ave
0071	1136 Michigan Ave	0115	760 10th St
0072	1137 Michigan Ave	0116	447 12th St
0073	1324 Michigan Ave	0117	508 19th St
0074	1026 Niagara Ave	0118	516 19th St
0075	1118 Niagara Ave	0119	414 19th St
0076	1302 Niagara St	0120	514 19th St
0077	1114 North Ave	0121	427 20th St
0078	1116 North Ave	0122	305 22nd St
0079	1118 North Ave	0123	535 24th St
0080	1141 North Ave	0124	484 25th St
0081	1143 North Ave	0125	419 4th St
0082	1546 North Ave	0126	429 4th St
0083	2631 North Ave	0127	423 4th St
0084	2678 North Ave	0128	617 4th St
0085	3226 North Ave	0129	635 4th St
0086	1879 Ontario Ave	0130	142 56th St
0087	1663 Ontario Ave	0131	502 59th St
0088	1815 Pierce Ave	0132	445 5th St
0089	1145 Pierce Ave	0133	458 5th St
0090	1149 Pierce Ave	0134	462 5th St
0091	1160 Pierce Ave	0135	532 5th St
0092	1343 Pierce Ave	0136	545 5th St
0093	1821 Pierce Ave	0137	549 5th St
0095	2215 Rhode Island Ave	0138	422 5th St
0096	1650 South Ave	0139	151 65th St
0097	1307 South Ave	0140	564 6th St
0098	1636 South Ave	0141	524 6th St
0099	1654 South Ave	0142	534 6th St
0100	1628 South Ave	0143	520 6th St
0101	1638 South Ave	0144	363 71st St
0102	1656 South Ave	0145	140 74th St
0103	5608 Stephenson Ave	0146	601 77th St
0104	2001 Virginia Ave	0147	323 81st St
0105	1634 Weston Ave	0148	414 8th St
0106	1639 Weston Ave	0149	716 8th St

Lot	Title	Lot	Title
0150	452 8th St	0194	461 7th St
0151	475 8th St		
0152	534 8th St		
0153	428 8th St		
0154	472 8th St		
0155	736 8th St		
0156	729 8th St		
0157	731 8th St		
0158	437 9th St		
0159	422 9th St		
0160	426 9th St		
0161	428 9th St		
0162	19 A St		
0163	2 B St		
0164	730 Cedar Ave		
0165	1023 Cleveland Ave		
0166	950 Depot Ave		
0167	40 Duane Ave		
0168	467 Elmwood Ave		
0169	1043 Garden Ave		
0170	918 Grove Ave		
0171	471 Hyde Park Blvd		
0172	10143 Mueller Ct		
0173	1115 North Ave		
0174	1333.5 North Ave		
0175	944 Ontario Ave		
0176	1702 Pennsylvania Ave		
0177	*Lot Updated* 613 Pine Ave		
0178	539 Tronolone Pl		
0179	620 Walnut Ave		
0180	715 Walnut Ave		
0181	*Lot Updated* 1607 11th St		
0183	2158 Center Ave		
0184	2162 Center Ave		
0185	2168 Center Ave		
0186	2607 Highland Ave		
0187	Removed from sale		
0188	Removed from sale		
0189	*Lot Updated* 3416 Highland Ave		
0190	*Lot Updated* 3418 Highland Ave		
0191	3420 Highland Ave		
0192	1110 Linwood Ave		
0193	2731 Lockport St		

****PLEASE DO NOT CALL AUCTIONS INTERNATIONAL OR THE CITY DURING THE AUCTION CLOSING** NO PAYMENTS TO THE CITY CAN BE MADE UNTIL TOMORROW, 2.22.24.**

Important Terms to Consider:-NO Business or Corporate Registrants-5 Property limit, per bidder, per account.(YOU CAN NOT PURCHASE MORE THAN 5 PROPERTIES)-10% buyer's premium in effect for this sale

**PUBLIC AUCTION
CITY OF NIAGARA FALLS, NEW YORK
SURPLUS PROPERTY AUCTION**

***ATTENTION: PLEASE READ THESE CAREFULLY.
THERE ARE IMPORTANT CHANGES FROM PRIOR YEARS!***

AUCTION TERMS AND CONDITIONS

ONLINE AUCTION ONLY

START DATE: Wednesday, February 7, 2024 starting at 12pm

CLOSE DATE: Wednesday, February 21, 2024 starting at 10am

INTERNET TERMS: (in addition to standard terms below)

ONLINE PROVIDER. The City of Niagara Falls, NY (hereinafter "CITY") has selected Auctions International, Inc. to act as auctioneer and provider of services for the City's Surplus Property Auction.

BIDDER PAPERWORK. Prospective bidders must download the "Internet Bidder Registration Packet" which is found at <http://www.auctionsinternational.com/liveauctions> and complete all required information areas where highlighted by printing and signing legibly. All completed registration information must be received by the office of auctioneer/broker no later than 4:00PM on Monday, February 19, 2024. **THERE WILL BE NO EXCEPTIONS.**

INTERNET BIDDING. This service is being offered to our customers through Auctions International. Bidders shall not hold City of Niagara Falls, New York and/or Auctions International responsible for any failure due to bidder hardware/software or the loss of internet connection, by the Provider.

STANDARD TERMS:

NOTICE IS HEREBY GIVEN THAT THE CONTROLLER OF THE CITY OF NIAGARA FALLS WILL OFFER FOR SALE AND SELL (SUBJECT TO CITY COUNCIL APPROVAL), THE REAL ESTATE HEREINAFTER DESCRIBED ON APPENDIX A. EACH PROPERTY WILL BE OFFERED FOR SALE AND WILL BE SOLD TO THE HIGHEST BIDDER SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS.

All parcels of real property offered for sale shall be sold to the highest bidder.

The highest bidder of any parcel of real property, or any portion thereof, shall execute an Offer to Purchase form, and an agreement to comply with the terms and conditions herein contained.

The successful bidder shall be required to accept the real property in its "AS IS" CONDITION ON THE DATE OF THE AUCTION. Any risk of loss or damage by fire, vandalism, or other cause (except by taking under the power of eminent domain) between the time of sale and delivery of the deed, is assumed by purchaser.

The successful bidder shall allow access to the property for inspection by the City's Code Enforcement Department and Department of Public Works and, if necessary, cause the property to be brought into conformity with all City ordinances within such time period as directed by the Director of Code Enforcement and/or Director of Public Works, but in no event later than June 30, 2024.

All bidders approved for entrance into the auction shall be a natural person. There will be no incorporated entities (corporations, limited liability companies, etc.) allowed into the auction as a bidder. Individuals acting on behalf of others, must produce a "Power of Attorney" duly executed and notarized and filed in the Office of the County Clerk.

The successful bidder may not assign the right to complete the sale to another person or entity. All deeds shall identify the grantee(s) as the successful bidder(s) as registered at the auction. No person who is not registered as a bidder may be placed on the deed as an owner.

The successful bidder may not transfer or sell the purchased property for a period of twelve (12) months from the date of closing. The deed provided at closing will contain a provision providing that the property will revert to the City of Niagara Falls, New York should the property be transferred or sold within the twelve (12) month period.

No bidder shall be allowed to purchase more than five (5) properties in this auction.

Bidders must note on their bidder registration packet which deposit payment method they will be electing to utilize: 1) Debit/Credit Card OR 2) Cash, Money Order or Certified Check. Any payments via credit/debit card will incur an additional processing/convenience fee calculated on the total amount charged to the card. Bidders paying by credit card agree that they shall not attempt a charge back on their credit card used in these transactions for any reason whatsoever. In such event that a charge back is initiated by the bidder and that such attempt is upheld in favor of Auctioneer/City of Niagara Falls, New York, the bidder agrees and authorizes to compensate Auctions International with a \$750.00 recovery fee as a new charge to their credit card without requiring additional purchaser signature. Failure to pay such recovery fee will result in collections action against said Purchaser.

Bidders who elect to make their deposit via cash, money order, or certified check must do so in the Billing & Collections Office (Room 109) located at City Hall, 745 Main Street, Niagara Falls, New York 14301. These payments can be made starting on the first business day following the completion of the auction and must be paid by the end of business on February 23rd. Business hours are Monday through Friday, 8:00am - 4:00pm. Check payments must be made out to "City Controller". Failure to pay by the deadline will result in forfeiture of the purchaser's bid, and any and all other winning bids submitted by the Purchaser.

Deposits due on the winning bid are in an amount equal to the greater of twenty percent (20%) of the bid price or \$200.00, together with the auctioneer's fee of ten percent (10%) of the bid price. If the highest bid price is less than \$1,000.00, the full amount of the bid and the auctioneer's fee must be deposited. Successful bidders paying by credit/debit card will also be charged a 4% processing/convenience fee based on the total deposit amount owed. See below for examples:

For deposit payment with cash, money order or certified check: High Bid: \$5,000.00 20% deposit: \$1,000.00 10% auctioneer fee: \$500.00 Total due to City: \$1,500.00.

For deposit payment with credit/debit card: High Bid: \$5,000.00 20% deposit: \$1,000.00 10% auctioneer fee: \$500.00 Processing/Convenience fee: \$60.00 (\$1,000 + \$500) X 4% Total amount charged to card: \$1,560.00.

The balance of said bid price and taxes under Paragraph 13 of these terms shall be required to be paid in CASH, MONEY ORDER, or CERTIFIED CHECK to the City Controller at the City Controller's Office in the City Hall of the City of Niagara Falls, New York, within thirty (30) days after the approval and confirmation of said sale by resolution of the City Council of the City of Niagara Falls. NO SALE SHALL BE CONTINGENT UPON THE SUCCESSFUL BIDDER OBTAINING ANY TYPE OF FINANCING.

The City Controller and/or auctioneer is not required to send any notice to the successful bidder, and if said bidder fails to appear at the closing and at the time and place above fixed therefor to receive his deed, he will be charged with INTEREST AT 12% PER ANNUM thereafter on the entire amount of his purchase price, unless the City, in its discretion, shall extend the time for the completion of said purchase.

Should the bidder fail to appear at said closing or fails to contact the City Controller to request and receive an extension of time, the City Controller may, at his option, declare that said bidder in default and retain all moneys deposited on account of the purchase as liquidated damages for the City.

All parcels of real property offered for sale herein are offered without warranty of title and all conveyances shall be made by quitclaim deed only, subject to payment by the purchaser of the 2023-2024 School Tax (1st and 2nd installments) and the 2024 City Tax (1st and 2nd installments) and any current water/sewer bill. All property is sold subject to the liens of all taxes and water bills levied after the Auction date.

The City, at its discretion, reserves the right to sell certain contiguous parcels as one single unit or separately as individual units.

Should any bidder fail to comply with any of the terms and conditions of sale herein contained, the premises will be offered to the next highest bidder(s), if any, or put up for sale under the direction of the City Controller, under these same terms and conditions of sale, without application to any court, unless the City shall elect to make such application.

Premises will be taken subject to: all zoning ordinances and building code restrictions in effect at time of

closing; any easement restrictions of record, and; subject to the right of redemption, if any, of the United States of America.

The City will not furnish an abstract of title or survey, which the successful bidder will provide, should the bidder deem one necessary.

Subject to all pending assessments, if any, which the purchaser will assume and pay.

Subject to the rights, if any, of the tenants and persons in possession.

The City of Niagara Falls in its sole discretion, and for any reason, reserves the right to withdraw any parcel of real property from this sale and to reject any and all bids and sales prior to closing. Return of any deposit or bid amount shall be subject to the terms and conditions contained herein.

In the event it should appear at any time after the sale, but before the closing, that the premises are required for public use, the City, at its option, may cancel the sale, and the City's liability in such event shall be limited to the return to the successful bidder of all payments made to the City on account of the purchase and that thereupon the parties shall be mutually released from any and all obligations as a result of such purchase.

Although the successful bidder shall be bound by his executed offer to purchase form referred to in Paragraph 2 above, such sale shall not be binding upon the City until such sale has been approved and confirmed by subsequent resolution and vote of the City Council of the City of Niagara Falls, New York, and that prior to such approval and confirmation the City will have the right to reject any or all bids and sale pursuant to Paragraphs 20 and 21 and for any other or no reason.

The City Controller shall have the right to refuse the transfer of title to any individual found by the City to be delinquent in property tax payments on any real property located in the City of Niagara Falls, to have lost property in a City of Niagara Falls In Rem proceeding since January 1, 1990, or to have outstanding code violations at the time of execution of the memorandum of purchase. Bidders are encouraged to contact the City Controller's Office, Department of Public Works, and/or the Department of Code Enforcement to verify their current status. Upon such findings of delinquency and/or violations, ALL MONIES DEPOSITED SHALL BE FORFEITED BY BIDDER.

A successful bidder shall close on ALL parcels for which he or she is the successful bidder. Failure to close on ALL parcels will result in the forfeiture of all monies deposited on all parcels. _____

The successful bidder shall be responsible for legal removal of all persons and/or property occupying premises upon delivery of deed, and shall not be entitled to collect rents, etc. until after delivery of the deed.

The successful bidder has no right to enter into or onto the property prior to delivery of the deed.

All bidders will comply with the requirements and procedures of Chapter 1142 of the Codified Ordinances of the City of Niagara Falls entitled "Rental Dwelling Unit Registration" including, but not limited to, registration, payment of registration fee and the designation of a local agent, if required, prior to delivery of the deed.

The City of Niagara Falls assumes no liability for any errors in descriptions of premises contained in any advertisement or brochure. All interested individuals are advised to view property and verify location given on advertisements, publications or brochures with records in the City Assessor's Office.

Lists, sketches, reports and photographs are provided to assist prospective bidders. No guarantees or warranties as to accuracy are made. Neither the City of Niagara Falls nor the auctioneers assume any liability or responsibility for any errors, mistakes, or omissions. The auctioneers are the agents of the City.

Environmental testing has been completed on some of the properties included within this auction. If environmental testing has been completed on a parcel it will be identified within the respective parcels detail and description section of the auction listing. No such similar information is available for other parcels that are part of this auction. The City is providing this for informational purposes only and makes no warrants or representations as to the accuracy of the reports.

A quitclaim deed will be prepared for delivery and recorded by the City within approximately four (4) weeks after payment of the balance of the bid price and all taxes required to be paid under the terms of Paragraph 13 herein. The successful bidder shall be liable for and shall be responsible to pay to the City all necessary recording fees and transfer taxes at closing. These fees will be computed by the Office of the Corporation Counsel prior to closing, and payment of these fees shall be made by SEPARATE CERTIFIED CHECK OR MONEY ORDER payable to the "Niagara County Clerk" and the payment given to the Office of the Corporation Counsel.

Neither the City Controller nor the City of Niagara Falls will be liable to the bidder or purchaser either before or after delivery of the deed for any sum in excess of the bid price.

The provisions of these terms of sale shall survive the closing and delivery of the deed by the City.

Buyer's Premium: There is a 10% Buyer's Premium in effect for this auction.

11167 Big Tree Rd, East Aurora, NY 14052 -- Phone 800-536-1401 -- Fax 800-569-3334
auctionsinternational.com