

CITY LAND BANK'S DISBURSEMENT REQUEST AND AFFIDAVIT
(To be delivered to County Land Bank before each Work Plan Disbursement)

1.	PROJECT:	\$141,000 2021 Work Plan	
2.	PREMISES:	City of Erie, Erie County, Pennsylvania	
3.	PERIOD TO:		October 15, 2021
4.	TOTAL WORK PLAN AMOUNT:		\$141,000.00
5.	PRIOR DISBURSEMENTS:		\$22,192.50
6.	CURRENT DISBURSEMENT REQUEST:		\$28,310.86
7.	UNDISBURSED BALANCE REMAINING:		\$112,689.14

The Undersigned, the authorized representative of Erie Land Bank (the "City Land Bank"), having made due investigation as to the matters set forth in this Request and Affidavit (sometimes referred to herein as "Disbursement Request") and to induce Erie County Land Bank ("County Land Bank") to make the Current Work Plan Disbursement Request as set forth on line 6 above to City Land Bank pursuant to the terms of the Cooperation Agreement dated November 29, 2018, and subsequent Work Plan II, approved by the County Land Bank December 11, 2019, (collectively the "Work Plan Agreement") and in conjunction with the attached receipts, invoices or such other form of supporting documentation as is acceptable to the County Land Bank, after being duly sworn, does depose and state:

1. Work Plan Disbursement Request. City Land Bank hereby requests that the County Land Bank make a Disbursement on the Work Plan in the amount of the Current Work Plan Disbursement Request as set forth on line 6 above and does hereby represent and certify to the County Land Bank that the City Land Bank is entitled to receive such Current Work Plan Disbursement Request under the terms of the Work Plan Agreement.

2. Representations and Warranties. All representations and warranties contained in the Work Plan Agreement and the other documents executed and delivered pursuant to the Work Plan Agreement (collectively with the Work Plan Agreement, the "Work Plan Documents") are true and accurate in all material respects as of the date of this Agreement.

3. No Event of Default. No Event of Default exists under any Work Plan Documents, and no event or condition has occurred and is continuing or existing, or would result from the Disbursement about to be made, which, with the lapse of time or the giving of notice, or both, would constitute such an Event of Default.

4. Performance Continuous. Performance of the Work on the Project has been carried on with reasonable dispatch and has not been discontinued at any time for reasons within the control of City Land Bank.

5. Work on Schedule. The Work is progressing in such manner so as to insure completion of the Work in substantial accordance with the Work Plan on or before the Project Completion Date.

6. Disbursements Applied to Work Plan Costs. All funds received from County Land Bank previously as Disbursements under the Work Plan Agreement have been expended (or are being held in trust) for the sole purpose of paying costs of the scope of the Work Plan ("Costs") previously certified to County Land Bank in Disbursement Requests. No part of said funds has been used, and the funds to be received pursuant to this Disbursement Request shall not be used, for any other purpose. No item of Costs previously certified to County Land Bank in a Disbursement Request remains unpaid as of the date of this Affidavit.

7. Statements Truthful; Costs Accurate; Disbursements to Pay Costs. All of the statements and information set forth in the Disbursement Request being submitted to County Land Bank with this affidavit are true and correct in every material respect at the date of this affidavit. All Costs certified to County Land Bank in this Disbursement Request accurately reflect the precise amounts due. Where such Costs have not yet been billed to City Land Bank, they accurately reflect City Land Bank's best estimates of the amounts that will become due and owing during the period covered by the Disbursement Request. All the funds to be received pursuant to this Disbursement Request shall be used solely for the purposes of paying the items of Cost specified in this Disbursement Request or for reimbursing City Land Bank for such items previously paid by City Land Bank.

8. No Impairment of City Land Bank's Ability to Perform. Nothing has occurred which has or may substantially and adversely impair the ability of City Land Bank to meet its obligations under the Work Plan Documents.

9. No Prior Work Plan Requisition for Expenses. None of the items of expense specified in this Disbursement Request submitted with this Affidavit have previously been made the basis of any Disbursement Request by City Land Bank or of any payment by County Land Bank.

10. Aggregate Cost of Completion of Project. The estimated aggregate cost of completing the Project is \$105,821.

11. All Preconditions to Disbursement Have Been Satisfied. All conditions to the Disbursement which is to be made in accordance with this Disbursement Request (in addition to those conditions to which reference is made in this Work Plan Disbursement Request) have been met in accordance with the terms of the Work Plan Agreement.

12. Terms. The capitalized terms used in this Disbursement Request and Affidavit, not otherwise defined herein, have the meaning given to them in the Work Plan Agreement. This affidavit is subject to and incorporates the terms of the Work Plan Agreement.

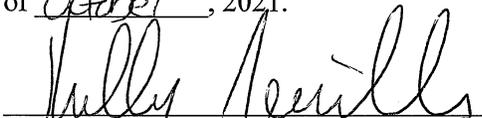
Witness:

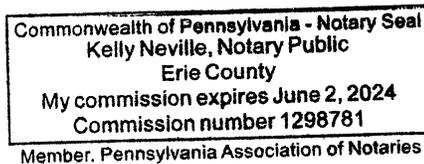


ERIE LAND BANK

By: 
Title: Executive Director

Sworn to before me this 20 day
of October, 2021.


Notary Public



(SEAL)

ERIE LAND BANK 2021 WORK PLAN



As of: October 15, 2021

		ECLB Funds	Co. Demolition	ELB Funds
Total Project Cost	\$ 500,000.00	\$ 141,000.00	\$ 336,000.00	\$ 23,000.00
Previous Requests	\$ 22,192.50	\$ 22,192.50		
Curret Request	\$ 28,310.86	\$ 28,310.86	\$ -	\$ -
	\$ 448,689.14	\$ 112,689.14	\$ 336,000.00	\$ 23,000.00

	<u>Acquisition</u>	<u>Demolition</u>	<u>Prop Mtc</u>	<u>Admin</u>
<u>March-May 2021 Expenses (Actual)</u>				
Erie Redevelopment Authority				
Property Appraisals	7,025.00			
Legal Costs				
Administration				913.25
TOTAL FUNDING REQUEST - June 2021				<u>\$ 7,938.25</u>
			Checks Received:	(7,938.25)
<u>June - July 2021 Expenses (Actual)</u>				
Erie Redevelopment Authority				
Legal Costs	11,394.25			
Administration				1,860.00
Property Maintenance- Board and seal (445 E 5th)			1,000.00	
TOTAL FUNDING REQUEST - August 2021				<u>\$ 14,254.25</u>
			Checks Received:	(14,254.25)
<u>August - October 15, 2021 Expenses (Actual)</u>				
Erie Redevelopment Authority				
Legal Costs - Condemnation 13 of 18 properties	19,618.14			
Just Comp - 708 Payne Ave.	5,000.00			
Administration				3,692.72
TOTAL FUNDING REQUEST - October 2021				<u>\$ 28,310.86</u>

MARSH SCHAAF LLP
 300 STATE STREET, SUITE 300
 ERIE, PA 16507
 814-456-5301
 FAX 814-456-1112
 EIN 250640643

ATTN: *Aaron Snippert, Executive Director*
 Erie Redevelopment Authority
 626 State Street, Suite 107
 Erie, PA 16501

Invoice
 Date: October 14, 2021

June 2021 Condemnations

Invoice for Attorney Fees:

<i>Property Owner</i>	<i>Property Address</i>	<i>Fees</i>
Theodore Burbules	1253 E. 26 th St., Erie, PA	Fee: \$1,500.00
Margarett Barnett Lee McLaurin	2912 Pine Ave., Erie, PA	Fee: \$1,500.00
Gina Franco	620 Wayne St., Erie, PA	Fee: \$1,500.00
Paul Katsadas William E. Kremer	814 Wayne St., Erie, PA	Fee: \$1,500.00
James F. Ewiak	1142 E. 21st St., Erie, PA	Fee: \$1,500.00
Gabriel Zander Corder	2308 Camphausen St., Erie, PA	Fee: \$1,500.00
Karen L. Washburn Cindy M. Zembroski	1958 Prospect Ave., Erie, PA	Fee: \$1,500.00
Jesse D. Lockett Monique M. Lockett	336 E. 23 rd St., Erie, PA	Fee: \$1,500.00
Ebony Welch	552 E. 24 th St., Erie, PA	Fee: \$1,500.00
Robert M. Sturdivant	524 E. 25 th St., Erie, PA	Fee: \$1,500.00
Peter J. Stull, Jr. Christina Ferrara	830 E. 25 th St., Erie, PA	Fee: \$1,500.00
Alique Jones	952 W. 11 th St., Erie, PA	Fee: \$1,500.00
Joseph Wayne Darren D. Simmons	708 Payne Ave., Erie, PA	Fee: \$1,500.00

Current Invoiced

\$19,500.00

Invoice Date: October 14, 2021
June 2021 Condemnations

Invoice for Outstanding Costs:

<i>Property Owner</i>	<i>Property Address</i>	<i>Costs</i>
Theodore Burbules	1253 E. 26 th St., Erie, PA	Petition, Plan and Order Postal charges \$5.65
Margarett Barnett Lee McLaurin	2912 Pine Ave., Erie, PA	Petition, Plan and Order Postal charges \$7.74
Gina Franco	620 Wayne St., Erie, PA	Petition, Plan and Order Postal charges \$5.65
Paul Katsadas William E. Kremer	814 Wayne St., Erie, PA	Petition, Plan and Order Postal charges \$5.65
James F. Ewiak	1142 E. 21st St., Erie, PA	Petition, Plan and Order Postal charges \$5.65
Gabriel Zander Corder	2308 Camphausen St., Erie, PA	Petition, Plan and Order Postal charges \$9.54
Karen L. Washburn Cindy M. Zembroski	1958 Prospect Ave., Erie, PA	Petition, Plan and Order Postal charges \$7.94
Jesse D. Lockett Monique M. Lockett	336 E. 23 rd St., Erie, PA	Petition, Plan and Order Postal charges \$12.52
Ebony Welch	552 E. 24 th St., Erie, PA	Petition, Plan and Order Postal charges \$5.65
Robert M. Sturdivant	524 E. 25 th St., Erie, PA	Petition, Plan and Order Postal charges \$7.94
Peter J. Stull, Jr. Christina Ferrara	830 E. 25 th St., Erie, PA	Petition, Plan and Order Postal charges \$19.39
Alique Jones	952 W. 11 th St., Erie, PA	Petition, Plan and Order Postal charges \$15.88
Joseph Wayne Darren D. Simmons	708 Payne Ave., Erie, PA	Petition, Plan and Order Postal charges \$8.94

Current Invoiced

\$118.14

TOTAL BALANCE DUE

\$19,618.14

ATTORNEY EUGENE C. SUNDBERG, JR.

IN THE MATTER OF PROCEEDINGS
BY THE REDEVELOPMENT
AUTHORITY OF THE CITY OF ERIE
FOR THE CONDEMNATION OF
PROPERTY COMMONLY KNOWN AS:
708 PAYNE AVENUE, ERIE,
PENNSYLVANIA

JOSEPH WAYNE and DARREN D.
SIMMONS,
OWNER(S) OR REPUTED OWNER(S).

IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA

CIVIL ACTION—IN REM

NO. 2021- 11438

EMINENT DOMAIN

COMMON PLEAS COURT
ERIE, PA
2021 OCT -6 AM 9:32
CLERK OF RECORDS
PROTHONOTARY

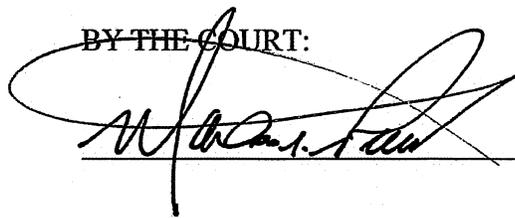
ORDER

AND NOW, to-wit, this 5th day of October, 2021, upon consideration of the Petition to Establish Fair Market Value and Confirm Schedule of Payment of Just Compensation and Distribution of Damages filed in this matter and representation of Counsel for the Petitioner, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Petitioner's evidence of Estimated Just Compensation due to the Condemnees is established as the fair market value of the Property as of the date of the filing of the Declaration of Taking as set forth on Exhibit "A" attached hereto, the fair market value of the Property being established hereby as \$5,000.00.

2. Distribution of the Estimated Just Compensation pursuant to the schedule attached hereto as Exhibit "A" is hereby approved, and the Petitioner is ordered to make such distribution in such amounts, if any, and to such Distributees as set forth on Exhibit "A" within sixty (60) days of the date of this Order.

BY THE COURT:



J.

I, Kenneth J. Gamble, Prothonotary of the Court of Common Pleas of Erie County, Pa., do certify that this is a true and correct copy of the original record filed in said court.


Prothonotary

Date: 10/6/21

Deputy: 

IN THE MATTER OF PROCEEDINGS : IN THE COURT OF COMMON PLEAS
 BY THE REDEVELOPMENT : OF ERIE COUNTY, PENNSYLVANIA
 AUTHORITY OF THE CITY OF ERIE :
 FOR THE CONDEMNATION OF : CIVIL ACTION—IN REM
 PROPERTY COMMONLY KNOWN AS: :
 708 PAYNE AVENUE, ERIE, : NO. 2021- 11438
 PENNSYLVANIA :
 : EMINENT DOMAIN
 JOSEPH WAYNE and DARREN D. :
 SIMMONS, :
 OWNER(S) OR REPUTED OWNER(S). :

**VALUATION OF CONDEMNED PROPERTY AND
 SCHEDULE OF DISTRIBUTION OF CONDEMNATION PROCEEDS**

Appraised Value of Property Condemned: <u>\$5,000.00</u>		
Description of Claim(s)	Amount of Claim as of Date of Condemnation	Proposed Payment Amount from Estimated Just Compensation
I. Priority Municipal Claims:		
Erie City and County Real Estate Taxes 2018	\$1,594.95	1,594.95
Erie City and County Real Estate Taxes 2019	2,984.43	2,984.43
Erie City and County Real Estate Taxes 2020	2,822.74	420.62
Erie City and County Real Estate Taxes 2021	1,247.83	0.00
City of Erie- Municipal Lien	\$860.75	0.00
II. General Obligations:		
Erie County Clerk of Courts- Judgment	1,881.25	0.00
III. Net Proceeds Distributable to Condemnee:	\$0.00	0.00
Total of Proceeds to be Distributed:		<u>\$5,000.00</u>

EXHIBIT "A"



Invoice

October 15, 2021

TO: ERIE LAND BANK
626 STATE STREET, RM 107
ERIE PA 16501

DUE UPON RECEIPT

ADMINISTRATION & STAFFING SERVICES

Previous Balance – 2021 Work Plan Staff Services	\$3,680.06
Payment- August 2021	-\$1,860.00
August 13 th -October 8, 2021 ELB Staff Services	\$12,977.93

TOTAL AMOUNT DUE

\$14,798.19

Please remit payment to:
Erie Redevelopment Authority
626 State Street, Rm 107
Erie, PA 16501