

**Erie County Industrial Development Agency (“ECIDA”),
Buffalo and Erie County Regional Development Corporation
 (“RDC”), Buffalo and Erie County Industrial Land
Development Corporation (“ILDC”), Buffalo Niagara
Regional Development Corporation (“BNRDC”) and ATC of
Buffalo and Erie County, Inc. (“ATC”)**

Real Property Acquisition Policy

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 respective Boards of Directors or Members of each corporation pursuant to such requirement and shall be applicable with respect to the acquisition of real property and any interests therein ("Real Property") by the Erie County Industrial Development Agency ("ECIDA") and its affiliates: Buffalo and Erie County Regional Development Corporation (“RDC”); Buffalo and Erie County Industrial Land Development Corporation (“ILDC”); Buffalo Niagara Regional Development Corporation (“BNRDC”); ATC of Buffalo and Erie County, Inc (“ATC”); and such other affiliates as may hereafter be established by ECIDA and which are determined to be subject to the requirements of Section 2824(1)(e) of the Public Authorities Law (an "ECIDA Affiliate")(hereinafter collectively referred to as the “Agency”).

A. Acquisition of Real Property

Real Property may be acquired by the Agency for use, development, resale, leasing or other uses designated by the Agency. The Agency may lease Real Property for use, subleasing or other uses designated by the Agency.

The purpose of each acquisition of Real Property by the Agency shall be to further one or more purposes of the Agency as authorized under the Agency’s enabling legislation, certificate of incorporation, by-laws or a resolution adopted by the Board of Directors or Members of the Agency, or for a purpose otherwise permitted under applicable state law.

Prior to each acquisition of Real Property, the Agency will conduct such due diligence as it deems appropriate in accordance with the particular circumstances of the proposed acquisition. Such due diligence may include, but is not limited to, Real Property appraisals and review and investigation of environmental, structural, title, pricing and other applicable matters.

B. Approval of Real Property Acquisitions

All acquisitions of Real Property shall be conducted in accordance with this Policy and applicable law. Proposed acquisitions of Real Property shall be presented to the Board of Directors of the Agency for approval or other appropriate action.

C. Exemption for Certain ECIDA Transactions

This Policy shall not be applicable to any agreements or arrangements involving the provision by ECIDA of "financial assistance" as such term is defined in Section 854(14) of the New York General Municipal Law.

D. Amendment of Policy

This Policy may be amended or modified at any time by the Board of Directors of the Agency.

Effective Date

Approved by the respective Boards of Directors and Members of the Agency on June 8, 2009