

Vacant Property Review Committee
March 28, 2017

VACANT PROPERTY REVIEW COMMITTEE

Room 401, Caucus Room
Philadelphia, Pennsylvania
Tuesday, March 28, 2017
10:05 a.m.

PRESENT:

SUSIE JARMON, DHCD
LINDA MEDLEY, LAW DEPARTMENT
LISA WALKER, REVENUE DEPARTMENT
JEREMY GRADWOHL, COUNCIL PRESIDENT'S OFFICE
MEREDITH TRUGO
LOWELL THOMAS, PHDC
FRED PURNELL, OHC
ALAN UREK, PUBLIC PROPERTY
D. CASMIR, PUBLIC PROPERTY
JAMETTA JOHNSON, PLANNING COMMISSION
MELVIS DUNBAR, RDA
AMANDA DAVIS, PIDC

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2 CHAIRMAN JARMON: Good morning,
3 everyone. We are going to get the Vacant
4 Property Review Committee meeting started.

5 I would like to know if there are any
6 attorneys in the room?

7 (Hands raised.)

8 CHAIRMAN JARMON: And you are here for
9 what address?

10 MS. MCCREA: 1912 and 14 North Taylor.

11 CHAIRMAN JARMON: This is on page 4,
12 1912 to 1914 North Taylor Street. The owner Ann
13 Davis.

14 MS. MCCREA: Good morning. Is there a
15 mic somewhere?

16 CHAIRMAN JARMON: No.

17 MS. MCCREA: Just be loud? Okay.

18 Megan McCrea. And I am the attorney for
19 the estate of Ann Davis. Ann Davis passed away
20 in September of 2015. At that time she lived in
21 1910 North Taylor and had purchased lots at 1912
22 and 1914 from the Redevelopment Authority in, I
23 think, 1999 and 2000.

24 Mrs. Davis' niece Felicia Harding was

1 appointed administrator of the estate, but she
2 resides out of state, which is why I'm here in
3 her stead.

4 It was a little bit of a hard sell, but
5 we did have an agreement of sale for the property
6 and the lots that the parties entered into a
7 couple of months ago. And as part of the closing
8 process and getting ready to close, I was advised
9 by Acorn that it would be necessary to appear
10 before the VPRC I assume to obtain permission to
11 sell the two vacant lots as part of the total
12 package sale of the lots and the residence.

13 I don't know what -- I've never done
14 this before. I've never been to the VPRC. I did
15 print out some pictures to show what the general
16 vicinity looked like. But I didn't realize how
17 many committee members there were, so I only have
18 three copies.

19 CHAIRMAN JARMON: We have pictures
20 attached to our agenda.

21 MS. MCCREA: I mean, if anyone wants to
22 follow along with my handout, I am going to argue
23 why it's advantageous for the City to allow the
24 sale to go through for all three parcels.

1 In any event, the 1900 block of North
2 Taylor Street is right above Cecil B. Moore. If
3 you look at the photos, it is -- I took them as I
4 was driving south on the 1900 block. And you can
5 tell that it's a relatively blighted block.
6 There are a number of vacant lots, and a number
7 of boarded up properties. If you turn to number
8 three, you see where we have 1910, 12 and 14. I
9 labeled them for you.

10 My understanding was that the decedent
11 used the lots for her personal purposes. She
12 parked her vehicle. There really isn't street
13 parking on this block.

14 CHAIRMAN JARMON: Ma'am, I hate to cut
15 you off, but --

16 MR. PURNELL: You're doing great.

17 CHAIRMAN JARMON: You're doing great,
18 but we don't need all of that information right
19 now. I just need to know if the Committee has
20 any objection or any questions for you regarding
21 the lot -- the lots been being transferred or
22 sold? Any questions?

23 MS. DUNBAR: She was only obligated to
24 maintain it as side yard?

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1 CHAIRMAN JARMON: Yes.

2 MS. MCCREA: She parked her car there
3 and used it as a yard for her two dogs.

4 MS. DUNBAR: Probably wasn't supposed to
5 park there, but we won't go there.

6 MS. MCCREA: I have an agreement of sale
7 if anyone wants to see the agreement of sale.

8 MS. DUNBAR: No, we are good.

9 MR. PURNELL: There was a discussion
10 here. You are probably fine, but it was noted
11 that the lots were cleaned and greened by the
12 City as --

13 MS. MCCREA: Just cleaned, they weren't
14 greened.

15 MR. PURNELL: That's how we describe it.
16 To remove the dirt is greened. We don't know --
17 would we know if there is a City lien placed for
18 the cleaning.

19 MS. DAVIS: That would show up on the
20 title report.

21 CHAIRMAN JARMON: Any further questions?
22 Recommendation?

23 MS. DUNBAR: Motion to release.

24 MR. GRADWOHL: Second.

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1 CHAIRMAN JARMON: All in favor?

2 (Ayes.)

3 CHAIRMAN JARMON: Thank you. We will be
4 in touch.

5 MS. MCCREA: Okay. What does that mean
6 exactly?

7 CHAIRMAN JARMON: Once the release is
8 executed, you will be contacted.

9 MS. MCCREA: Okay.

10 MS. DUNBAR: When are you looking to go
11 to settlement?

12 MS. MCCREA: Well, we had to extend it a
13 couple times already because we were unaware we
14 had to appear at this Committee hearing. And
15 then, of course, this meeting was delayed from
16 the ice storm. So, the sooner the better. It's
17 an empty property. We would like to have
18 somebody be using it for some viable purpose on a
19 block with too many vacant properties.

20 MS. DUNBAR: Okay.

21 CHAIRMAN JARMON: Thank you.

22 The next items are on page 2, 4 East
23 Silver and 6 East Silver, Harry Morles. Want to
24 come up to the podium.

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1 (Applicant approaches podium.)

2 CHAIRMAN JARMON: Hi. State your name
3 for the record.

4 MS. ORTIZ: My name is Carmen Ortiz.
5 And this is Harry Morles. He doesn't speak
6 English.

7 CHAIRMAN JARMON: You are here to
8 purchase these two lots on Silver Street?

9 MS. ORTIZ: Yes.

10 CHAIRMAN JARMON: What is his use going
11 to be?

12 MS. ORTIZ: Garden.

13 CHAIRMAN JARMON: Mr. Morles has been
14 using these lots for several years. And had
15 previously received urban garden agreements from
16 us.

17 MS. ORTIZ: Yes.

18 CHAIRMAN JARMON: Any questions from the
19 committee? Recommendations?

20 MS. DUNBAR: I'm sorry. Does he want to
21 purchase them or get the self-amortizing
22 mortgage?

23 CHAIRMAN JARMON: He wants to purchase.

24 MS. ORTIZ: Yes.

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1 MS. DUNBAR: Make a motion that we sell.

2 MR. GRADWOHL: Second.

3 CHAIRMAN JARMON: All in favor?

4 (Ayes.)

5 CHAIRMAN JARMON: Thank you. We will be
6 in touch.

7 2902 North Hancock Street, Irma Nunez.

8 (Applicant approaches podium.)

9 CHAIRMAN JARMON: Hi. Can you state
10 your name for the record?

11 MS. NUNEZ: Irma Nunez.

12 CHAIRMAN JARMON: You are here to
13 purchase the lot at 2902 Hancock Street.

14 MS. NUNEZ: Yes.

15 CHAIRMAN JARMON: Property that she owns
16 is a commercial store front for the Committee's
17 information.

18 CLERK: She also stated she would like
19 to have it as a garden.

20 CHAIRMAN JARMON: Her proposal is for a
21 garden next to the business.

22 Any questions from the Committee?

23 MR. GRADWOHL: So just to confirm, based
24 on the Councilman's letter, this property will

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1 not be used for parking, correct?

2 MS. NUNEZ: No.

3 MR. GRADWOHL: And this property will be
4 purchased at fair market value?

5 MS. NUNEZ: Yes.

6 MR. GRADWOHL: Move to recommend the
7 sale.

8 MS. DUNBAR: Second.

9 CHAIRMAN JARMON: All in favor?

10 (Ayes.)

11 CHAIRMAN JARMON: Thank you. We will be
12 in touch.

13 The next item is a side yard, 2417
14 Orianna, Maria Reyes She's not in attendance.

15 Can I get a recommendation from the
16 Committee? We will place a self-amortizing
17 mortgage against the title.

18 MS. DUNBAR: Motion.

19 MR. GRADWOHL: Second.

20 CHAIRMAN JARMON: All in favor?

21 (Ayes.)

22 CHAIRMAN JARMON: The next item is Urban
23 Garden Agreement, 3851 Aspen Street, which I can
24 accept.

1 The next item is a request for an
2 extension, Felton Hayman for Hayman Construction,
3 three properties: 1914 Ellsworth, 1927 Manton,
4 1929 Manton Street. Felton Hayman?

5 (Applicant approaches podium.)

6 MR. HAYMAN: Morning. Felton Hayman,
7 Hayman Construction. I asked for an extension 90
8 days. New construction on three properties.
9 1914 Ellsworth, 1927 and 1929 Manton.

10 MS. DUNBAR: Because?

11 MR. HAYMAN: Just running behind time.
12 We doing sheetrock right now.

13 CHAIRMAN JARMON: Yeah. He started -- I
14 think we got the pictures after the agenda was
15 posted.

16 MS. DUNBAR: Okay.

17 CHAIRMAN JARMON: Anyone wants to see
18 them?

19 MR. UREK: Move to grant the extension.

20 MS. DUNBAR: Second.

21 CHAIRMAN JARMON: All in favor?

22 (Ayes.)

23 CHAIRMAN JARMON: Take care.

24 The next item, the applicant asked to be

1 tabled until next month's April agenda. We are
2 going to table this.

3 Now we are on Certificate of
4 Completions. 994 North 5th Street, previous
5 owner John Idi.

6 (Applicant approaches podium.)

7 MR. SANDOLA: Jason Sandola. I'm here
8 to -- I acquired the property years ago. I was
9 unaware on my title that there was restrictions
10 on it. It wasn't transferred to me in good form,
11 I guess is the way to say it.

12 So, went to sell the property. And
13 realized that there are restrictions. The title
14 company asked me to come to the meeting to
15 request that the City release them so that I can
16 execute a sale.

17 Originally, when I acquired the property
18 was planning on building on it and living there
19 myself. Graduated college and basically was
20 offered a job in New York, so obviously took it.
21 It's like 2008 and the world is falling apart.
22 So, one shot to kind of do something. Went
23 there. And just unfortunately have not been able
24 to come up with the resources or the time to come

1 back to Philadelphia to build on the property.

2 Felt that the best use was to sell it.

3 Obviously, brings me here today.

4 CHAIRMAN JARMON: Any questions from the
5 Committee?

6 MR. PURNELL: He paid fair market for
7 it?

8 CHAIRMAN JARMON: Yes.

9 MR. SANDOLA: The property has been --
10 so went to Zoning actually to originally work on
11 building on the property. The woman that resides
12 next to it at the Zoning meeting asked me if she
13 could maintain the land as a private garden sort
14 of to keep it up for me.

15 The lot is fenced in. I agreed to it at
16 the time. Said she can go ahead and do it. The
17 property has been well maintained and been
18 insured the entire time. Been paying the taxes,
19 as well.

20 MS. JOHNSON: Is that who you are
21 selling it to?

22 MR. SANDOLA: No. I am selling it to
23 somebody who does intend to build very shortly
24 here.

1 MS. JOHNSON: So, can we pass on the
2 restrictions?

3 MS. MEDLEY: If that's what the
4 Committee votes to do.

5 CHAIRMAN JARMON: The recommendation is?

6 MR. PURNELL: Restriction will be passed
7 onto the new owner -- is the new owner, the
8 perspective buyer, aware that their is deed
9 restrictions on the property?

10 MR. SANDOLA: Yeah. The title company
11 for the purchaser asked me to come in and request
12 that the City release it. They understand the
13 buyer has already looked at grid plans to
14 actually build. He does intend to, in shorter
15 order, begin construction on the property. He
16 actually would have started but the sale has been
17 delayed as a result of the restriction that's on
18 it.

19 I don't honestly know that the buyer, if
20 the restriction was there, would be willing to
21 continue to purchase it. Was just something that
22 came up throughout the process. And they asked
23 me to come in and request the release.

24 MS. MEDLEY: What was the original

1 lease?

2 CHAIRMAN JARMON: The person that
3 purchased it was supposed to develop it, and
4 turned around and sold it.

5 MS. MEDLEY: Well, I'm not sure how to
6 issue the release if they haven't done what they
7 are supposed to do.

8 You're not sure whether or not the buyer
9 will accept the conditions being put onto the --

10 MR. SANDOLA: I've never met the buyer.
11 I contacted a real estate agent who's a friend of
12 mine to help me find somebody to list the
13 property. And so, I don't know. I would expect
14 that, you know, as he does intend to build on it,
15 I believe the restriction was just so that a
16 property was built or the structure was built on
17 the land.

18 He may. I don't know honestly. I was
19 just requested from the title company to come
20 before the committee. As I indicated when I
21 received the deed, the restriction wasn't on it.
22 It was not something that I was aware was even in
23 place. The title company that did the
24 re-registration to my name is actually now out of

1 business. I have no way of even contacting them.
2 Was just kind of scenario that came up.

3 MS. MEDLEY: You said the buyer intends
4 to build on it?

5 MR. SANDOLA: Yes. Yes. That is my
6 understanding.

7 MS. MEDLEY: Could you check? And is it
8 possible to have this tabled until next month?

9 MR. SANDOLA: Would I have to return in
10 person? I do work in New York. It's quite
11 difficult for me.

12 CHAIRMAN JARMON: No. You can just send
13 me an email, and I will forward it to the
14 Committee.

15 MR. SANDOLA: Okay. I need to
16 request --

17 CHAIRMAN JARMON: Find out if the person
18 that's going to buy it is willing to accept it
19 with a restriction on it. And then once he
20 develops, then that restriction will be removed.

21 MR. SANDOLA: Okay. May I ask what the
22 restriction?

23 CHAIRMAN JARMON: That he has to develop
24 in a year.

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1 MR. SANDOLA: Okay. Understood.

2 CHAIRMAN JARMON: If he does it in six
3 months, he can come back and we will remove the
4 restriction.

5 MR. SANDOLA: Okay.

6 MR. PURNELL: It would be helpful if he
7 could provide us with a construction schedule if
8 that's possible.

9 MR. SANDOLA: Understood, yeah.

10 MR. PURNELL: Provide that, also.

11 MR. SANDOLA: Very good. Yeah sure.

12 CHAIRMAN JARMON: You have my email
13 Susie Jarmon.

14 MR. SANDOLA: Yes. Yes.

15 CHAIRMAN JARMON: Forward me an email.

16 MR. SANDOLA: Very good. Appreciate it.

17 CHAIRMAN JARMON: Thank you very much.

18 The next items are 2228 Wilder, 2235
19 Wilder and 2236 Wilder Street, Stephanie Green.

20 (Applicant approaches podium.)

21 CHAIRMAN JARMON: Hi. State your name
22 for the record.

23 MS. GREEN: Good morning. Stephanie
24 Green.

1 CHAIRMAN JARMON: Can you let the
2 Committee know you are here for the third time,
3 what your request is?

4 MS. GREEN: We are here to request an
5 extension, a six-month extension of development
6 of the properties.

7 CHAIRMAN JARMON: Has anything changed
8 since the last request?

9 MS. GREEN: Yes. My partner Vince will
10 be -- is here to explain the recent developments.

11 MR. VINEY: Yes. We do have the --
12 Vincent S. Viney, owner of V2 Properties but in
13 partnership with Stephanie with 2019 East
14 Huntington, LLC.

15 We -- at this point, we do have the
16 approved building permit for 2235. And we are
17 having a heck of a time getting the other two
18 approved from the L&I plans reviewer. But we are
19 working diligently to make that happen. We are
20 actually supposed to break ground today. If the
21 weather allow us to, we will be.

22 We are expecting to start construction
23 right away. And hopefully within the next week,
24 we will have our other two permits. We did

1 submit all the permits request at the same time.
2 One was approved, and the other two are still in
3 a holding pattern.

4 CHAIRMAN JARMON: Any questions from the
5 Committee?

6 MR. GRADWOHL: Did you -- the new LLC,
7 Ms. Green you are equity -- you have equity in
8 that, as well, right?

9 MS. GREEN: Yes. Yes.

10 MR. GRADWOHL: I am trying to make
11 sense. It was transferred in January for \$60,000
12 to the entity. Was the transfer value some --
13 does that have to do with the amount of equity
14 each person owns or -- don't understand that.

15 MR. VINEY: Well, at this point,
16 Stephanie is a 50 percent owner in the equity of
17 the property and in the LLC.

18 MR. GRADWOHL: Okay.

19 CHAIRMAN JARMON: Any further questions?
20 Recommendation?

21 MS. DUNBAR: Motion to provide the
22 extension.

23 MS. MEDLEY: That's request for six
24 months.

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1 MR. PURNELL: Are we still within the
2 first six-month extension?

3 MS. DUNBAR: We are at the end I think.
4 It expires next month.

5 MR. PURNELL: We are requesting an
6 additional six months on top of the original six
7 months?

8 MR. VINEY: From today, yes.

9 MS. MEDLEY: I don't remember if it was
10 March or April that it expired.

11 MR. VINEY: I thought it was said to
12 expire in March.

13 CHAIRMAN JARMON: Yes.
14 Recommendations?

15 MS. DUNBAR: I made a motion to extend.

16 MR. GRADWOHL: Second.

17 CHAIRMAN JARMON: All in favor?

18 (Ayes.)

19 CHAIRMAN JARMON: 3027 North 16th
20 Street. Yolanda Herrington is the previous
21 owner.

22 (Applicant approaches podium.)

23 MR. MCGILLICUDDY: Good morning. My
24 name is Kevin McGillicuddy. I'm the real estate

1 agent at Berkshire Hathaway. I'm here on behalf
2 of Delores Bailey who is the current owner of
3 3027 North 16th Street.

4 She is asking to sell the property at
5 fair market value. She bought it in 2006 from
6 the estate of Yolanda Herrington who bought it in
7 1989. She was not aware of the the restriction
8 when she bought the property. And she -- came as
9 a surprise when we did our title search.

10 CHAIRMAN JARMON: Any questions from the
11 Committee? And they received this back in '89 as
12 a single family dwelling.

13 Any questions? Recommendations?

14 MS. DUNBAR: Motion.

15 MR. GRADWOHL: Second.

16 CHAIRMAN JARMON: All in favor?

17 (Ayes.)

18 CHAIRMAN JARMON: Thank you.

19 MR. MCGILLICUDDY: Thank you.

20 CHAIRMAN JARMON: Next item is 5436
21 Walnut Street.

22 (Applicant approaches podium.)

23 CHAIRMAN JARMON: Good morning. State
24 your name for the record.

1 MR. AHMAD: Good morning. This is
2 Mubarek Ahmad. I purchased five 5436 Walnut
3 Street last year.

4 MS. DUNBAR: Can you speak up a little
5 bit, please.

6 MR. AHMAD: I purchased 5436 last year
7 and seeking the permission to sell. You guys
8 have agreement of sale.

9 CHAIRMAN JARMON: He's developed the
10 property. Yeah, he's developed the property. We
11 missed putting it on the agenda last month.

12 MS. DUNBAR: Okay.

13 CHAIRMAN JARMON: He is anxious to get
14 this release so that he can finish the settlement
15 deal.

16 MS. DUNBAR: Motion.

17 MS. TRUGO: Seconded.

18 CHAIRMAN JARMON: All in favor?

19 (Ayes.)

20 CHAIRMAN JARMON: Thank you.

21 The next item is 804 North 15th Street?

22 (No applicant response.)

23 CHAIRMAN JARMON: No? Going to table
24 this. I know this was one where the -- we

1 transferred this to the applicant as a side yard
2 to her property. And now she wants to sell her
3 property along with the lot, I want to say, for
4 \$200,000. Yeah. So, we needed to come. So, we
5 will reschedule this for next month.

6 The next item is 3418 to 20 Brandywine
7 Street, Fred Jones. He purchased this property
8 last year. And would like to sell.

9 (Applicant approaches podium.)

10 CHAIRMAN JARMON: State your name for
11 the record.

12 MR. JONES: My name is Fred Jones. I
13 purchased 3418 and 3420 Brandywine Street last
14 year. I did a wonderful job reconstructing the
15 property and now I want to sell it.

16 CHAIRMAN JARMON: Any questions from the
17 Committee?

18 MR. GRADWOHL: Do you have your
19 certificate of occupancy for the property?

20 MR. JONES: Yes.

21 CHAIRMAN JARMON: It wasn't -- would he
22 get a certificate?

23 MR. SLATER: My name is Ben Slater. I'm
24 a Realtor, listing agent with the property.

1 It is under contract. I do have the
2 agreement of sale here along with the extension
3 for the agreement of sale due to the reverter
4 clause we need removed. I also have the L&I
5 search. They are both good, as well as some
6 photos of the property. But the new buyer
7 obviously doesn't want to take title without
8 reverter clause being removed.

9 CHAIRMAN JARMON: Any questions from the
10 Committee?

11 MS. DUNBAR: Motion.

12 MR. GRADWOHL: Second.

13 CHAIRMAN JARMON: All in favor?

14 (Ayes.)

15 MR. JONES: Thank you very much.

16 MR. SLATER: Thank you.

17 CHAIRMAN JARMON: 2930 and 2932 Master
18 Street, Ronald Mitchell.

19 (Applicant approaches podium.)

20 MR. CUTRUFELLO: I'm actually Nino
21 Cutrufello. We are the current owners of the
22 property. We purchased the property, I think,
23 May last year. We are a home building company.

24 We purchased two vacant lots with the

1 intent to build a construction homes on the
2 property. Did not realize at the time of the
3 purchase that it was obtained from the RDA
4 several decades ago. We have subsequently got
5 our zoning approval, are in now for building
6 permit approval. Finalizing our construction
7 financing and need the RDA's release to get clean
8 title insurance on the property for construction
9 financing.

10 CHAIRMAN JARMON: Any questions from the
11 Committee? We have pictures here. It looks like
12 the lot needs to be cleaned off from my pictures.

13 MR. CUTRUFELLO: It's vacant.

14 CHAIRMAN JARMON: But is it cleaned?

15 MR. CUTRUFELLO: I believe so, yeah.

16 CHAIRMAN JARMON: We had these pictures
17 done in February. So the trash and everything is
18 off?

19 MR. CUTRUFELLO: If it's not, I can go
20 there right now and clean it off.

21 CHAIRMAN JARMON: Okay. All right. You
22 can let me know when that's done, and I will send
23 my inspector out to take a picture.

24 MR. CUTRUFELLO: Okay.

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1 CHAIRMAN JARMON: Any questions from the
2 Committee? Recommendations?

3 MR. GRADWOHL: I move that we grant the
4 release contingent upon the receipt of photos
5 showing the lot cleaned.

6 MS. TRUGO: Second.

7 CHAIRMAN JARMON: All in favor?

8 (Ayes)

9 CHAIRMAN JARMON: The next item is 2650
10 Agate Street, Henry George.

11 (Applicant approaches podium.)

12 CHAIRMAN JARMON: State your name again.

13 MR. VINEY: My name is Vince Viney, the
14 owner of V2 Properties, LLC. And we are here to
15 request the release of the reverter clause.

16 We actually have already built a new
17 construction property on the lot. And are in the
18 process of marketing the property.

19 CHAIRMAN JARMON: Any questions from the
20 Committee?

21 MS. DUNBAR: Motion. Motion to grant
22 the release.

23 MR. UREK: Second.

24 CHAIRMAN JARMON: All in favor?

1 (Ayes)

2 MR. VINEY: Thank you all very much.

3 CHAIRMAN JARMON: 2047 McClellan Street.
4 The applicant is unable to attend. This was a
5 side yard back in 1981.

6 Can I get a recommendation?

7 MR. GRADWOHL: So moved.

8 MS. DUNBAR: Second.

9 CHAIRMAN JARMON: All in favor?

10 (Ayes.)

11 CHAIRMAN JARMON: Thank you.

12 We deleted the 2046 East Dauphin Street.
13 They didn't want a certificate.

14 The next item is 1315 South Dorrance
15 Street. This was transferred to the applicant
16 with the self-amortizing mortgage.

17 (Applicant approaches podium.)

18 MR. SILVER: Hello. My name is Abraham
19 Silver. This is Aldorie Pough. Aldorie is the
20 owner of 1315 South Dorrance. The two of us are
21 long time family friends. I'm a developer in
22 South Philadelphia.

23 About 18 months ago we entered into a
24 agreement to develop the lot together by

1 transferring it into an LLC that I own. Over the
2 course of the last 18 months, I worked to get the
3 property zoned and obtain construction financing.
4 I also paid for architectural plans.

5 When I was preparing to transfer the
6 property to my LLC in anticipation of getting
7 construction financing, my bank alerted me they
8 would be unable to provide the construction
9 financing with the reversionary clause still on
10 the deed. I have commitment letter -- sorry,
11 term sheet from the bank with me as well as all
12 the zoning information.

13 And I'm requesting that reversionary
14 clause be lifted so I can obtain construction
15 financing.

16 CHAIRMAN JARMON: Are there any
17 questions from the Committee?

18 MS. JOHNSON: This was transferred to --
19 I mean, you purchased it 6/15 with the
20 restriction.

21 MR. VINEY: Yeah.

22 MS. JOHNSON: To date you have not
23 filled the terms of the restrictions. It's to be
24 built on.

1 MS. DUNBAR: Yeah. He hadn't done
2 anything.

3 MR. SILVER: The year did elapsed in
4 July 16. During that time, we obviously realized
5 that was going to happen.

6 MS. JOHNSON: So, we can't release. You
7 have not lived up to the terms of the restriction
8 is what I'm saying.

9 MR. SILVER: So, I did attend in July
10 when this committee approved the transfer of the
11 land and was preparing to do that transfer when I
12 discovered that I would be incapable of providing
13 the financing through my bank.

14 I am aware that Mr. Pough did not
15 fulfill that year obligation. But I'm standing
16 in front of you really attempting to develop that
17 lot as it was intended.

18 CHAIRMAN JARMON: Well, he received the
19 lot as a side yard.

20 MR. SILVER: Okay.

21 CHAIRMAN JARMON: To his property, so he
22 didn't have to develop.

23 MS. JOHNSON: Okay.

24 CHAIRMAN JARMON: It was side yard.

1 MR. GRADWOHL: It was transferred with a
2 self-amortizing mortgage.

3 MR. SILVER: Which by the way --

4 MR. GRADWOHL: It becomes a different
5 issue because it was transferred, essentially,
6 for nominal.

7 MS. MEDLEY: But he did pay. Not to cut
8 you off. If I recall, he did pay that off. So,
9 it doesn't have more -- there is the issue of
10 release. But I thought we had discussed the
11 subordination agreement.

12 CHAIRMAN JARMON: Right.

13 MS. MEDLEY: Whether or not your bank
14 would accept a subordination agreement.

15 MR. SILVER: They have indicated that
16 they need the reversionary clause reversed. If
17 of course, if you guys will not agree to that, I
18 can go back to them. I did speak with their
19 attorney at length. They did provide the term
20 sheet based on reversionary clause being
21 released.

22 MS. DUNBAR: It really shouldn't matter
23 to them if they are in the first named position.
24 If we agree to subordinate whatever our

1 restrictions may be, it really shouldn't matter
2 if the intent is to do something.

3 MS. MEDLEY: Could you do that, check
4 with your bank?

5 MR. SILVER: Of course.

6 MS. MEDLEY: Okay.

7 MR. SILVER: Of course, I will do that.
8 If, in fact, they are -- will accept that, it
9 seems like that will work for you guys?

10 MS. DUNBAR: Uh-huh.

11 MR. SILVER: Okay. If they will not
12 accept that, does that mean my road is ended or
13 would I be allowed to come back and discuss this
14 further.

15 CHAIRMAN JARMON: You'll probably be
16 invited back to try to see.

17 MR. SILVER: Okay.

18 MS. DUNBAR: Have them provide something
19 to you in writing. That way the Committee will
20 have something to review directly from the bank
21 as opposed to you going and coming back with the
22 secondhand information.

23 MR. SILVER: If the answer is no,
24 provide a letter that says why and et cetera?

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1 MS. DUNBAR: Yes.

2 MR. SILVER: Understood.

3 CHAIRMAN JARMON: Okay.

4 MS. MEDLEY: I guess the Committee could
5 vote to say if the bank -- the City is willing to
6 subordinate its interest if the bank is okay with
7 that. That way you wouldn't have to come back
8 and we would start with the paperwork if the
9 committee would like the --

10 MS. DUNBAR: I would make that motion
11 subject to.

12 MS. DAVIS: Second.

13 MR. PURNELL: So, the motion is that the
14 Committee is going to release subject to your
15 subordination agreement.

16 CHAIRMAN JARMON: And if they don't,
17 then we will bring you back.

18 MR. SILVER: Thank you very much.

19 MS. DUNBAR: Subject to the bank
20 accepting the subordination agreement that we
21 would issue, yeah.

22 CHAIRMAN JARMON: All in favor?

23 (Ayes.)

24 CHAIRMAN JARMON: Thank you.

1 1937 Wilder.

2 (Applicant approaches podium.)

3 CHAIRMAN JARMON: Good morning. You
4 again. (Laughter)

5 MR. SILVER: My name is Abraham Silver.
6 This is Albert Autry who is the owner of 1937
7 wilder. Very similar situation to what we just
8 went over.

9 Mr. Autry is attempting to sell the land
10 to me to develop into a single family home. This
11 transaction has not been going on as long as a
12 the previous one. I have not yet had an
13 opportunity to take it through Zoning and provide
14 architectural plans. However, I will. And since
15 I used pretty much the same bank for my
16 construction financing, I expect to have a
17 similar issue in the number of months.

18 CHAIRMAN JARMON: And I think he
19 received it as a side yard?

20 MR. AUTRY: Yes, ma'am.

21 CHAIRMAN JARMON: To just maintain and
22 keep it clean.

23 MR. AUTRY: Yes.

24 CHAIRMAN JARMON: Any questions from the

1 Committee.

2 MS. DUNBAR: We will be making that same
3 motion?

4 CHAIRMAN JARMON: Yeah.

5 MR. SILVER: The same exact, understood.

6 MS. DUNBAR: For the record --

7 MR. PURNELL: Have you paid off
8 the mortgage?

9 CHAIRMAN JARMON: There's no mortgage
10 for this. This was a side -- was transferred as
11 a side yard back in 2007. He didn't have the
12 self-amortizing process at that time. He got it
13 as a gift.

14 Recommendation?

15 MR. GRADWOHL: If I may, can I add
16 another contingency that the lot be cleaned up.
17 Sees some junk in the back based on this photo.

18 MR. AUTRY: That is what I'm going to do
19 when I leave here if it stop raining. I already
20 got half of it clean, and the rest will be
21 cleaned.

22 CHAIRMAN JARMON: Okay.

23 Can I get a motion?

24 MR. GRADWOHL: I will try this. I move

1 that we grant the certificate of completion
2 contingent upon the bank agreeing to
3 subordination agreement and the lot --

4 CHAIRMAN JARMON: No. This is totally
5 different. This has nothing to do with a
6 subordination agreement.

7 MR. PURNELL: I thought he said he
8 anticipated the bank having the same issue as on
9 the previous.

10 CHAIRMAN JARMON: But this is a
11 different -- the deed was transferred different.
12 This wasn't transferred with the self-amortizing
13 mortgage.

14 MS. MEDLEY: He just had to clean it.

15 CHAIRMAN JARMON: The five year
16 restriction is off of the deed. He cleaned it
17 and maintained it for this time. So, this one
18 doesn't have the subordination agreement issue.

19 MR. GRADWOHL: Didn't have the --

20 CHAIRMAN JARMON: He had it as a side
21 yard. But it --

22 MS. DUNBAR: He met the obligation.

23 CHAIRMAN JARMON: Doesn't have mortgage
24 against.

1 MR. SILVER: I might be --

2 CHAIRMAN JARMON: Under the old gift
3 property.

4 MR. DOUGHERTY: I'm Phil Dougherty. I'm
5 a real estate agent helping facilitate the
6 transaction. We are actually just looking for
7 deed restriction to be lifted for settlement on
8 Friday of this week. So, we are looking for --
9 we can't do title -- have title insurance for
10 purchase of the property until the deed
11 restriction is lifted.

12 CHAIRMAN JARMON: He needs to clean the
13 lot off as soon as he gets home and send me a
14 picture. And we can go forward.

15 MR. SILVER: It was my understanding
16 from the title company, though, that there was a
17 reversionary interest in this.

18 CHAIRMAN JARMON: It is. But that's a
19 different reversionary interest.

20 MS. DUNBAR: That one is easier to
21 remove.

22 CHAIRMAN JARMON: That one didn't have a
23 self-amortizing mortgage.

24 MR. SILVER: The document you will

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1 provide --

2 CHAIRMAN JARMON: Will be a release.

3 MR. GRADWOHL: Let me amend my motion.

4 I move we grant the certificate of completion
5 based upon proof that the lot is cleaned.

6 MR. UREK: Second.

7 CHAIRMAN JARMON: All in favor?

8 (Ayes.)

9 CHAIRMAN JARMON: Thank you.

10 MR. SILVER: Thank you.

11 CHAIRMAN JARMON: Just want to add the
12 Minutes from last month, February 14, 2017.

13 Can I get a motion?

14 MS. DUNBAR: Motion.

15 MR. UREK: Second.

16 CHAIRMAN JARMON: All in favor?

17 (Ayes.)

18 (VPRC Committee Meeting adjourned at 10:41 a.m.)

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR
Court Reporter - Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

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