




NEW YORK CITY
HOUSING DEVELOPMENT
CORPORATION

MEMORANDUM

To: The Chairperson and Members

From: Marc Jahr 
President

Date: June 4, 2012

Re: Resolution of Declaration of Intent
222 East 104th Street
New York, New York
Block 1652, Lot 50 (formerly Lot 1)

Attached is a Resolution of Declaration of Intent (the "Resolution") for a proposed new construction project located at 222 East 104th Street, which is currently under review by the Corporation. The developer, 104th Street Housing L.P., a single purpose entity formed by the Jonathan Rose Companies, has requested that the Members adopt the Resolution on the project's behalf. Should HDC utilize tax-exempt bond proceeds to provide financing for the proposed project, it will be operated in accordance with the restrictions of the Internal Revenue Code.

As indicated in the attached project summary sheet, the developer intends to construct one building with 89 low-income rental units located at 222 East 104th Street in Manhattan.

The Resolution is an official intent of the Corporation for tax code purposes which can enable certain expenditures incurred as early as 60 days prior to the date of such Resolution to qualify for tax-exempt bond financing. However, the Corporation's agreement to issue bonds may only be expressed in the Corporation's bond purchase agreement, which requires further authorization by the Members.

A fact sheet with a brief description of the project is attached (see "Exhibit A").

**RESOLUTION OF DECLARATION OF INTENT
OF THE NEW YORK CITY
HOUSING DEVELOPMENT CORPORATION**

WHEREAS, Article 12 of the Private Housing Finance law, constituting the New York City Housing Development Corporation Act (the "Act"), authorizes the New York City Housing Development Corporation (the "Corporation") to encourage the investment of private capital and provide dwelling accommodations for occupancy by persons and families for whom the ordinary operations of private enterprise cannot provide an adequate supply of safe, sanitary and affordable housing accommodations, or located in an area certified or designated as blighted; and

WHEREAS, the Corporation may be requested to provide all or part of the construction and/or permanent financing of a residential development located at 222 East 104th Street in New York, NY (the "Project") as more fully described in Exhibit A. A portion of the Project is expected to provide dwelling accommodations for occupancy by persons and families for whom the ordinary operations of private enterprise cannot provide an adequate supply of safe, sanitary and affordable housing accommodations and/or provide housing accommodations in an area certified or designated as blighted; and

WHEREAS, the Corporation is desirous of assisting in the financing of such Project, to the extent permitted by law, if such assistance will either increase or assure the availability of dwelling accommodations for occupancy by persons and families for whom the ordinary operations of private enterprise cannot provide an adequate supply of safe, sanitary and affordable housing accommodations and/or provide housing accommodations in an area certified or designated as blighted.

NOW THEREFORE, the Corporation does hereby resolve as follows:

1. The Corporation may provide financing for the project and pursuant to that intention the staff of the Corporation is authorized to develop a program for financing of the Project to the extent permitted by law, and for such purpose may consult with the proposed mortgagor entity of the Project, and such others as may be deemed appropriate, subject in all events to the final approval of the terms of any financing by the Members of the Corporation.
2. The Corporation expects to finance the Project by the issuance of its obligations in an aggregate principal amount presently anticipated not to exceed \$15,000,000 all or a portion of which would be issued on a tax-exempt basis.
3. This resolution shall constitute official intent of the Corporation with respect to such Project for purpose of the Internal Revenue Code and otherwise.
4. This resolution shall be effective immediately.

“Exhibit A”

**222 East 104th Street
New York, New York**

Project Location: 222 East 104th Street
New York, New York
Block 1652, Lot 50 (formerly Lot 1)

HDC Program: LAMP New Construction Program

Project Description: This project will consist of the new construction of 89 units in one, six-story apartment building in the East Harlem neighborhood of Manhattan. Total residential square footage is 80,000. The housing is part of a larger innovative mixed-use building that will also include a 55,000 SF K-8 charter school, and 6,000 SF of non-profit office space.

Expected Total Units:

18	Studio
41	1 BR
26	2 BR
<u>4</u>	<u>3 BR</u>
89	Total Units*

*Total Units are inclusive of one superintendent unit

Expected tax abatement type: 420c Tax Exemption

Estimated HDC First Mortgage: \$15,000,000

Developer: 104th Street Housing, L.P., a single purpose entity formed by Jonathan Rose Companies

Architect: Perkins Eastman

General Contractor: Lasberg Construction Associates