




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  
Tracey Towers  
40 West Mosholu Parkway South  
Bronx, NY  
Block 3251/Lots 455, 475, 490, 9401, and 9450

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Attached is a Resolution of Declaration of Intent (the "Resolution") for a proposed preservation development located at 40 West Mosholu Parkway South, which is currently under review by the Corporation. The developer, the DeMatteis Organizations, 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 rehabilitate a rental housing development consisting of a total of 871 residential units located in the Kingsbridge Heights section of the Bronx at 40 West Mosholu Parkway South.

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 40 West Mosholu Parkway South in the Bronx, 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 \$45,000,000 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”**

**Tracey Towers  
Bronx, New York**

**Project Location:** 40 West Mosholu Parkway South,  
Bronx, NY  
Block 3251/Lots 455, 475, 490, 9401 and 9450

**HDC Program:** Mitchell-Lama Preservation

**Project Description:** This project consists of the rehabilitation of 871 units in two 38-story and 41-story residential apartment towers in the Kingsbridge Heights neighborhood of the Bronx. The towers, as well as a 512-space resident parking lot are situated on the 183,416 square foot site with approximately 1,074,489 square feet of gross building area.

**Expected Total Units:**

274	1 BR
524	2 BR
<u>73</u>	<u>3 BR</u>
871	Total Units*

\*Total Units are inclusive of two superintendent units

**Expected tax abatement type:** Shelter Rent

**Estimated HDC First Mortgage:** \$45,000,000

**Developer:** Tracey Tower Associates L.P., or another single purpose entity to be formed and controlled by an affiliate of the DeMatteis Organizations.

**Architect:** TBD

**General Contractor:** TBD