




NEW YORK CITY
HOUSING DEVELOPMENT
CORPORATION

MEMORANDUM

To: The Chairperson and Members

From: Marc Jahr 
President

Date: April 3, 2013

Re: Resolution of Declaration of Intent
Webster Commons Building B
3556 Webster Avenue
Bronx, NY
Block 3360/Lot 70

Attached is a Resolution of Declaration of Intent (the "Resolution") for a proposed development to be newly constructed at 3556 Webster Avenue, which is currently under review by the Corporation. The developer, a joint venture between Joy Construction Corp. and Best Development Group, 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 a rental housing development consisting of a total of 95 residential units located in the Olinville neighborhood of the Bronx at 3556 Webster Avenue.

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 3556 Webster Avenue 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 \$9,000,000 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"

**Webster Commons Building B
Bronx, New York**

Project Location: 3556 Webster Avenue,
Bronx, NY
Block 3360/Lot 70

HDC Program: New HOP

Project Description: This project consists of the new construction of 95 units in one 13-story residential apartment building in the Olinville neighborhood of the Bronx. The 123,137 square foot development will contain the residential units and 26 underground parking spaces.

Expected Total Units:

32	1 BR
56	2 BR
<u>7</u>	<u>3 BR</u>
95	Total Units*

*Total Units are inclusive of one 2 BR superintendent unit

Expected tax abatement type: 421-a

Estimated HDC First Mortgage: \$9,000,000

Developer: A joint venture between Joy Construction Corp. and Best Development Group.

Architect: Aufgang + Subotovsky Architects & Planners, P.C.

General Contractor: Joy Construction Corp.