

LAW OFFICES  
**LAWRENCE J. BERGER, P. C.**  
200 MADISON AVENUE  
SUITE 1902  
NEW YORK, N.Y. 10016  
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LAWRENCE J. BERGER  
STEVEN E. RESNICK  
HARVEY I. SHIFF

SETH J. GOLDBERG  
LESLIE R. PERLMAN  
JEREMY A. FRIEDMAN

December 14, 2015

Mr. James G. Clynes  
Manhattan Community Board #8  
505 Park Avenue, Suite 620  
New York, NY 10022

**RECEIVED**

**DEC 16 2015**

**BY COMMUNITY BOARD 8**

via certified mail: 7015 1520 0001 4863 1156

Re: 421-a Partial Tax Exemption Preliminary Application  
501 East 74<sup>th</sup> Street  
Block 1486, Lot 1, Manhattan

Dear Mr. James Clynes:

The online Preliminary Application for the project was filed on November 15, 2015. Enclosed please find the final paper version of the electronic application for the above referenced project consisting of the following executed documents:

1. Bank Check for \$100.00 filing fee;
2. Application for Preliminary Certificate of Eligibility for Partial Tax Exemption;
3. Copy of Negotiable Certificate of Eligibility;
4. Copy of Appraisal;
5. Copy of Survey;
6. Copy of executed Owner's Affidavit;
7. Copy of executed Architect's/Engineer's Certification In Support of Preliminary Application for 421-a Partial Tax Exemption together with copy of approved building plans; and
8. Copy of executed Opinion of Counsel.

Very truly yours,

  
Harvey I. Shiff

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL®**



7015 1520 0001 4863 1156



**Terms and Conditions (Remitter and Payee):**

- \* Please keep this copy for your record of the transaction
- \* The laws of a specific state will consider these funds to be "abandoned" if the Cashier's Check is not cashed by a certain time
  - Please cash/deposit this Cashier's Check as soon as possible to prevent this from occurring
  - In most cases, the funds will be considered "abandoned" before the "Void After" Date
- \* Placing a Stop Payment on a Cashier's Check
  - Stop Payment can only be placed if the Cashier's Check is lost, stolen, or destroyed
  - We may not re-issue or refund the funds after the stop payment has been placed until 90 days after the original check was issued
- \* Please visit a Chase branch to report a lost, stolen, or destroyed Cashier's Check or for any other information about this item

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CASHIER'S CHECK**

**Customer Copy**

9800336101

11/23/2015

Void after 7 years

**Remitter:** LAWRENCE J. BERGER, P.C.

**\$\*\* 100.00 \*\***

**Pay To The Order Of:** CITY OF NEW YORK DEPT OF FINANCE

Memo: \_\_\_\_\_

Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

**NON NEGOTIABLE**

282111107 NEW 01/08 8810004306

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



**CASHIER'S CHECK**

Date 11/23/2015

9800336101

Void after 7 years

25-3  
440

**Remitter:** LAWRENCE J. BERGER, P.C.

**Pay To The Order Of:** CITY OF NEW YORK DEPT OF FINANCE

**Pay:** ONE HUNDRED DOLLARS AND 00 CENTS

**\$\*\* 100.00 \*\***

Do not write outside this box

Memo: \_\_\_\_\_


Note: For information only. Comment has no effect on bank's payment.

Drawer: JPMORGAN CHASE BANK, N.A.

*Bruce Dean*  
Senior Vice President  
JPMorgan Chase Bank, N.A.  
Columbus, OH



⑈9800336101⑈ ⑆044000037⑆ 758661433⑈

	NYC Department of Housing Preservation and Development	Division of Housing Incentives
	<b>Application for Preliminary Certificate of Eligibility for Partial Tax Exemption</b>	
	Mail to: NYC Department of Housing Preservation and Development 421-a Partial Tax Exemption Program, 100 Gold Street, Room 8-C09, New York, NY 10038 (212) 863-8540 Fax (212) 863-5899	
Instructions: Once you have completed filling out the application and have submitted it electronically to HPD, you must also print, sign and send a hard-copy to the 421-a Partial Tax Exemption Program at HPD along with all required affidavits and documentation. If construction commenced on or after December 28, 2007, each multiple dwelling must contain four (4) dwelling units or more (unless it is built with substantial government assistance). If construction commenced before December 28, 2007, three (3) or more dwelling units is sufficient.		

### Section 1B: Entity Owner Information

Entity Type **Limited Liability Company (LLC)**  
 Entity Name **Golden Asset, L.L.C.**  
 Name **Benjamin Ohebshalom**  
 Title **Manager**  
 House No **226** Street Name **East 54 Street**  
 PO Box/Suite/Floor **Suite 402**  
 City **Manhattan** State **NY**  
 Country **USA** Zip code **10022**  
 Phone **(212) 759-1300** Fax **(313) 759-5229**  
 Email

### Section 2: Filing Representative Information

Filing Representative Type **Entity** Company Name **Lawrence J. Berger, P.C.**  
 Name of Contact Person  
 Name **Harvey Shiff**  
 House No **200** Street Name **Madison Avenue**  
 PO Box/Suite/Floor **Suite 1902**  
 City **Manhattan** State **NY**  
 Country **USA** Zip code **10016**  
 Phone **(212) 532-0222** Fax **(212) 532-0224**  
 Email **hshiff@ljbpc.com**

### Section 3A: Project Location Information Project Type **RENTAL**

Commencement of construction date **05/23/2014**  
 Estimated Year of Construction Completion **02/15/2016**  
 Borough **MANHATTAN** Block **01486** Lot **0001** Tax Class **2**  
 Base Year AV **\$2,718,000.00** GEA **Y** REMIC **N** NPP **N**  
 Will the project involve any subdivision or merger of current lot(s)? **N**

### Section 3B: Building Location Information

House Number **501** Street Name **East 74 Street** Zip Code Tentative Lot **1**

### Section 3C: Other Standards for Review

Are negotiable certificates being used to qualify a project located in a 421-a geographic exclusion area?

Y

Please enter the date on which the 421-a Written Agreement was executed.

12/01/2006

Will this project or any part of this project be receiving tax exemption or tax abatement under any other provision of state or local law?

N

Was this project site mapped as a public park or utilized for 10 or more consecutive years as a private park immediately prior to October 1, 1971?

N

Will any part of this project be used as a hotel or for single room occupancy?

N

Does this project contain more than 20 dwelling units?

Y

Were there Class A residential units on the site one month prior to the start of construction?

N

Does the new project contain at least 5 dwelling units for each Class A dwelling unit on the site one month prior to the new construction?

N/A

### Section 3D: Substantial Government Assistance and Affordability Restrictions

Is the project being constructed with Substantial Governmental Assistance?

N

Is the Substantial Governmental Assistance pursuant to a program for the development of affordable housing?

N/A

Are at least 20% of the project's units subject to affordability restrictions?

N

There is a requirement that at least 20% of the onsite units be affordable to Low and Moderate Income households, as defined in 28 RCNY § 6-01 (c).

N/A

There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 80% of Area Median Income(AMI).

N/A

There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 60% of AMI.

N/A

There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 120% of AMI, and the average AMI does not exceed 90%.

N/A

There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 120% of AMI.

N/A

There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 125% of AMI.

N/A

### Section 4A: Building Cost Information Lot No 0001

Did you purchase the lot within two (2) years prior to the start of construction?

N

Please enter purchase price:

N/A

Did you purchase the lot more than two (2) years prior to the start of construction?

Y

Please enter appraised value at the start of construction:

\$25,000,000.00

Is the lot being performed under a ground lease?

Please indicate monthly rent payable during period of construction:

N/A

Please indicate length of a ground lease in months:

N/A

### Section 4B: Project Cost Information

Total Construction Costs: \$25,953,302.00

Total Builder's Fee/Developer's Profit: \$0.00

Total Professional and Other Fees: \$4,710,324.00

Total Marketing Expenses: \$500,000.00

Total Financing and Other Charges: \$8,667,375.00

Total Project Cost:	\$64,831,001.00
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#### Section 5A: Annual Costs

Labor (for 6 plus units only):	\$340,860.00
Contractor services:	\$76,000.00
Fuel:	\$250,000.00
Electricity:	\$18,750.00
Insurance:	\$36,750.00
Water and sewer:	\$86,000.00
Vacancy, management & administrative fees:	\$982,800.00
Parts and supplies:	\$12,500.00
Gas:	\$24,000.00
Real estate taxes:	\$350,159.94
Replacement reserve:	\$151,970.00
Other:	\$2,500.00
Total annual costs for entire project:	\$2,332,289.94

#### Section 5B: Annual Income from Other Sources

Parking:	\$32,400.00
Commercial space:	\$0.00
Washing and vending machines:	\$2,500.00
Other income sources (a):	\$9,840.00
Descriptions: Storage	
Other income sources (b):	\$12,000.00
Descriptions: Gym	
Other income sources (c):	\$2,400.00
Descriptions: Bike Storage	
Total annual non-housing income:	\$59,140.00

**Section 6A: Building Specifications**
**501 East 74 Street**
**Tentative Lot: 1**

Did any portion of the building apply for the Industrial and Commercial Incentive or Abatement programs (ICIP or ICAP)?

**N**

Does the building include new residential construction and the concurrent conversion, alteration or improvement of a pre-existing building or structure?

**N**

Commencement of construction date

**05/23/2014**

DOB/BIS Job Number

**120069362**

Building Permit Type

**New Building Permit**

Floor	Residential A.F.A.	#0 BR	#1 BR	#2 BR	#3 BR	#4 BR	#5 BR	#6 BR	#7 BR	#8 BR	# of Dwelling Units	# Rooms	Non-Residential A.F.A. and Ineligible Residential A.F.A.
20	1,201.60	0	0	0	0	0	0	0	0	0	0.00	0.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
19	2,134.20	0	0	0	1	0	0	0	0	0	1.00	5.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
18	2,994.10	0	1	1	0	0	0	0	0	0	2.00	8.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
17	3,386.50	0	0	1	1	0	0	0	0	0	2.00	10.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
16	3,386.50	0	0	1	1	0	0	0	0	0	2.00	10.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
15	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
14	4,538.00	2	1	2	0	0	0	0	0	0	5.00	17.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
13	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
12	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
11	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
10	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
9	4,538.00	2	0	3	0	0	0	0	0	0	5.00	18.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
8	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
7	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													

6	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
5	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
4	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
3	4,536.40	3	2	1	0	0	0	0	0	0	6.00	19.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
2	4,139.10	1	1	2	0	0	0	0	0	0	4.00	15.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
1	3,590.21	0	0	0	0	0	0	0	0	0	0.00	0.00	2,211.29
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description Rec Rms,Vestibles,Bathrm													

### Parking Questions

1. Will there be parking associated with this building?	Y
2. Is the parking applying for 421-a benefits?	Y
3. Is the parking applying for 421-a benefits accessory to the residential portion of the building?	Y
4. Is the parking applying for 421-a benefits inside the subject building?	Y
4a. What floor is it on?	1
4b. Is the height of the parking greater than 23 feet?	N
5. Is the parking applying for 421-a benefits located off-street?	Y
6. Is the parking applying for 421-a benefits accessory to the commercial portion of the building?	N
7. Will this project contain parking or other spaces that will be subdivided into individual tax lots?	N

### Section 6B: Project Summary

Address: 501 East 74 Street

Tentative Lot: 1

Floor	#0 BR	#1 BR	#2 BR	#3 BR	#4 BR	#5 BR	#6 BR	#7 BR	#8 BR	#Rooms	Residential A.F.A.	Non-Residential A.F.A. and Ineligible Residential
1	0	0	0	0	0	0	0	0	0	0.00	3,590.21	2,211.29
10	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
11	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
12	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
13	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
14	2	1	2	0	0	0	0	0	0	17.50	4,538.00	0.00

15	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
16	0	0	1	1	0	0	0	0	0	10.00	3,386.50	0.00
17	0	0	1	1	0	0	0	0	0	10.00	3,386.50	0.00
18	0	1	1	0	0	0	0	0	0	8.00	2,994.10	0.00
19	0	0	0	1	0	0	0	0	0	5.50	2,134.20	0.00
2	1	1	2	0	0	0	0	0	0	15.00	4,139.10	0.00
20	0	0	0	0	0	0	0	0	0	0.00	1,201.60	0.00
3	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
4	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
5	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
6	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
7	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
8	3	2	1	0	0	0	0	0	0	19.00	4,536.40	0.00
9	2	0	3	0	0	0	0	0	0	18.50	4,538.00	0.00
Totals:	20	33	15	31	3	0	0	0	0	291.00	79,816.61	2,211.29

# Dwelling Units: 82

# Rooms: 291.00

Commercial, etc. area in excess of 12% 0.00%

## Section 6C: Project Specifications

Total Square Feet of Finished Space	85,088.31
Total Square Feet of Balcony Space	0.00
Total Square Feet of Unfinished Space	7,221.49
Average Square Feet Per Dwelling Unit	798.00
Total Net SF of Dwelling Units	65,436.00

## Section 6D: Schedule of Initial Rent 501 East 74 Street

No	Apt. No	Rent
1	10A	\$ 14,866.28
2	10B	\$ 6,605.69
3	10C	\$ 13,211.38



4	10E	\$ 13,392.17
5	10F	\$ 7,078.52
6	11A	\$ 14,866.28
7	11B	\$ 6,605.69
8	11C	\$ 13,211.38
9	11E	\$ 13,392.17
10	11F	\$ 7,078.52
11	12A	\$ 14,866.28
12	12B	\$ 6,605.69
13	12C	\$ 13,211.38
14	12E	\$ 13,392.17
15	12F	\$ 7,078.52
16	13A	\$ 14,866.28
17	13B	\$ 6,605.69
18	13C	\$ 13,211.38
19	13E	\$ 13,392.17
20	13F	\$ 7,078.52
21	14A	\$ 14,866.28
22	14B	\$ 6,605.69
23	14C	\$ 13,211.38
24	14E	\$ 13,392.17
25	14F	\$ 7,078.52
26	15A	\$ 14,866.28
27	15B	\$ 6,605.70
28	15C	\$ 13,211.38
29	15E	\$ 13,392.17
30	15F	\$ 7,078.52
31	16A	\$ 15,422.55
32	16B	\$ 23,391.10
33	17A	\$ 15,422.55
34	17B	\$ 23,391.10
35	18A	\$ 12,529.95
36	18B	\$ 20,512.41
37	19A	\$ 36,727.70
38	2A	\$ 14,852.37
39	2C	\$ 9,943.30
40	2D	\$ 6,452.72
41	2E	\$ 17,188.70

42	3A	\$ 14,852.37
43	3B	\$ 6,605.69
44	3C	\$ 9,943.30
45	3D	\$ 6,452.72
46	3E	\$ 9,748.61
47	3F	\$ 7,078.52
48	4A	\$ 14,852.37
49	4B	\$ 6,605.69
50	4C	\$ 9,943.30
51	4D	\$ 6,452.72
52	4E	\$ 9,748.61
53	4F	\$ 7,078.52
54	5A	\$ 14,852.37
55	5B	\$ 6,605.69
56	5C	\$ 9,943.30
57	5D	\$ 6,452.72
58	5E	\$ 9,748.61
59	5F	\$ 7,078.52
60	6A	\$ 14,852.37
61	6B	\$ 6,605.69
62	6C	\$ 9,943.30
63	6D	\$ 6,452.72
64	6E	\$ 9,748.61
65	6F	\$ 7,078.52
66	7A	\$ 14,852.37
67	7B	\$ 6,605.69
68	7C	\$ 9,943.30
69	7D	\$ 6,452.72
70	7E	\$ 9,748.61
71	7F	\$ 7,078.52
72	8A	\$ 14,852.37
73	8B	\$ 6,605.69
74	8C	\$ 9,943.30
75	8D	\$ 6,452.72
76	8E	\$ 9,748.61
77	8F	\$ 7,078.52
78	9A	\$ 14,866.28
79	9B	\$ 6,605.69

80	9C	\$ 13,211.38
81	9E	\$ 13,392.17
82	9F	\$ 7,078.52

Your submitted summary of proposed initial rents reflecting an average per room per month of **\$3,127.15** is approved. You may set your individual apartment rents to suit your marketing needs, but the maximum gross monthly rental for your apartment may not exceed **\$910,000.00**.

Prior to the completion of your project, events may occur necessitating an increase in your initial rent schedule. This office must be advised of these changes, and documentation must be submitted in advance in support of such changes. Initial rents may not be increased after the issuance of a final certificate of eligibility except as the law permits.

In the case of rental properties, the first rent becomes the base rent for all future increases approved by the New York City Rent Guidelines Board. A copy of the HPD approved rent schedule must be attached to all initial leases. All rental multiple dwellings receiving 421-a benefits must register with the NYS Division of Housing and Community Renewal (DHCR) to enjoy the benefits of the 421-a program. The initial and each successive owner must maintain DHCR registration of the property for the entire period the property is receiving 421-a benefits.

## Section 7: Site Eligibility Lot No 0001

To qualify for 421-a benefits, a site must have been vacant, predominantly vacant, underutilized, or improved with a non-conforming use three years prior to the start of construction (i.e. "Operative Date"). In order to determine if your project qualifies for 421-a benefits, this section of the application will take you through a number of questions which will determine your site eligibility. You must complete this section for each of the lots for which you are applying for 421-a benefits. Please enter the information as of the Operative Date.

Commencement of Construction Date:	5/23/2014
Operative Date:	05/23/2011
Total land area of lot (Square Feet):	6,096.00
Square footage of site:	6,096.00

### Test 1: The question below will test your site's eligibility based on vacant lot.

Actual Assessed Valuation of improvements on the lot in the Fiscal Year in which the Operative Date falls: **\$2,394,000.00**

This site is ineligible based on this test because the actual assessed valuation of the improvements on the lot was not less than or equal to \$2,000. Please move on to the next site eligibility test.

### Test 2: The questions below will test your site's eligibility based on a vacant portion of the former lot as of the Operative Date.

Is there an existing building that will not be demolished and will remain on the lot? **N**

Is the new multiple dwelling being constructed on a vacant portion of the lot as of the Operative Date?

This site is ineligible based on this test because the land that you are building on is not vacant. Please move on to the next site eligibility test.

### Test 3: The questions below will test your site's eligibility based on predominantly vacant land as of the Operative Date.

Length of footprint of improvement (sq ft): **62.17** Width of footprint of improvement (sq ft): **98.00**  
 Total area of footprint of improvement on lot (sq ft): **6,092.66** Total land area of lot (sq ft): **6,096.00**

This site is ineligible based on this test because the area of the footprint of the improvement is not less than or equal to 15% of the land area of the lot. Please move on to the next site eligibility test.

**Test 4: The questions below will test your site's eligibility based on underutilized buildings as of the Operative Date.**

Was there a building(s) on the lot on the Operative Date? **Y**  
 What was the tax class of the lot on the Operative Date? **2**

**Test 5: The questions below will test your site's eligibility based on underutilized former residential building(s) (A.F.A test).**

	Length	Width	# Stories	Total
House Story:	62.15	74.92	7.23	33,664.90
Garage Story:	0	0	0	0.00
Shed Story:	0	0	0	0.00
Other Story:	22.05	15.54	2	685.32
Total (AFA of former residential building(s)):				34,350.22
Square footage of site:	6,096.00	Square footage of lot:		6,096.00
AFA of the new multiple dwelling, pro-rated:				82,027.90
70% of the AFA of the New Multiple Dwelling:				57,419.53

This site has passed this 421-a eligibility test. When you complete this electronic application please submit a survey to HPD in addition to other required documentation.

## Section 7: Site Eligibility Summary

Lot	Square Feet	421-a Eligible
0001	6096	Pass

Since the Project does not meet the requirements of §421-a(9)(vi)(c) or §421-a(12), the Project is subject to the Exemption Cap of §421-a(9).

## Section 8: Addendum

### Part A: Contact Information for Certifying Professionals

Architect's/Engineer's Certification to be provided by:

Name: **Stephen B. Jacobs**  
 Business Name: **Stephen B. Jacobs Group, PC**  
 House No: **381**  
 Street: **Park Avenue South**

City	New York
State	NY
Phone Number	(212) 421-3712
Opinion of Counsel to be provided by:	
Name	Harvey I. Shiff
Business Name	Lawrence J. Berger, P.C.
House No	200
Street	Madison Avenue, Suite 1902
City	New York
State	NY
Phone Number	(212) 532-0222

## Checklist

Submit the most recent approved building plans. However, if the most recent approved building plans were already submitted to HPD as part of an earlier Architect's/Engineer's Certification, you do not need to re-submit the building plans.



Appraisal documentation



Surveys



Proof of receipt of Notice to Community Board



Copy of 421-a negotiable certificates or 421-a Affordable Housing Written Agreement and contract to purchase certificates.



Architect's/Engineer's Certification



Opinion of Counsel



**Please Keep a Copy of this Application for Your Records.**

THE CITY OF NEW YORK  
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT  
OFFICE OF DEVELOPMENT  
RPTL Section 421-a Affordable Housing Program  
100 Gold Street, Room 9-Z1  
New York, NY 10038

**\*NEGOTIABLE CERTIFICATE OF ELIGIBILITY\***

DOCKET NUMBER	07-04	DATE OF ISSUANCE OF THIS CERTIFICATE	August 26, 2015
SITE OF AFFORDABLE UNITS	1159 Intervale Avenue, Bronx	DATE OF EXECUTION OF WRITTEN AGREEMENT	December 1, 2006
BLOCK(S)	2692	DATE OF ISSUANCE OF (TEMPORARY) C OF O FOR AFFORDABLE UNITS	October 3, 2008
APPLICANT	Intervale Gardens LLC c/o Jackson Development Group, Ltd.	NUMBER OF MARKET RATE UNITS ELIGIBLE*	82
APPLICANT'S ADDRESS	15 Verbena Avenue, Floral Park, NY 11001	*If average size of units exceeds 1,200 sq. ft., see Section 6-08(b)(6) of the Rules	
BENEFIT TRANSFEROR	Golden Asset, L.L.C.	BENEFIT TRANSFEREE	Golden Asset, L.L.C.

Whereas, the Department of Housing Preservation and Development has determined that the above-referenced Applicant has completed the construction, rehabilitation, or conversion of affordable dwelling units in accordance with the §421-a Affordable Housing Written Agreement between the City of New York's Department of Housing Preservation and Development and the Applicant;

The Commissioner has determined, therefore, that one or more eligible multiple dwellings containing the above-referenced number of units in the Geographic Exclusion Area is eligible to receive a 421-a partial Tax Exemption.

This Certificate may be conveyed or sold only by the Benefit Transferor named above, and only to the Benefit Transferee named above. This Certificate cannot be used to transfer benefits to any person or entity other than the Benefit Transferee named above. The transfer of this Certificate to the Benefit Transferee is accomplished by both the Benefit Transferor and the Benefit Transferee endorsing and notarizing this Certificate in the place indicated below. If this Certificate is not transferred in accordance with the above procedure, then the Benefit Transferor shall remain the owner of record of the above-referenced benefits if and until such time as the Benefit Transferor directs HPD, at its sole discretion, to re-issue this Certificate to another entity. After the initial endorsement and notarization by the Benefit Transferor and the Benefit Transferee, subsequent transfers of this Certificate or any portion hereof by the Benefit Transferee may be accomplished by written request to HPD accompanied by this original Certificate. Unused Certificates must be returned to HPD for voiding and re-issuance.

BENEFIT TRANSFEROR: BENEFIT TRANSFEREE:  
Golden Asset, L.L.C. Golden Asset, L.L.C.

By: By:

Sworn to me before this Sworn to me before this  
day of 20 day of 20

Notary Public Notary Public

421-a Affordable Housing  
Program Seal

*Miriam Colon*  
Miriam Colon, Assistant Commissioner  
Housing Incentives

8/26/2015

**APPRAISAL REPORT**

**VACANT LAND PARCEL  
501 East 74<sup>th</sup> Street (a.k.a. 1394 York Avenue)  
Block 1486, Lot 1  
New York, New York**

***PREPARED FOR:***

**Mr. Ben Ohebshalom  
Managing Member  
Golden Asset, LLC c/o Sky Management Corp.  
226 East 54<sup>th</sup> Street, Suite 402  
New York, New York 10022**

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## ***Goodman-Marks Associates, Inc.***

**REAL ESTATE APPRAISERS AND CONSULTANTS**

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PHONE: (212) 324-2870 FAX: (212) 324-2879  
[www.goodmanmarks.com](http://www.goodmanmarks.com)

June 12, 2014

Mr. Ben Ohebshalom  
Managing Member  
Golden Asset, LLC c/o Sky Management Corp.  
226 East 54<sup>th</sup> Street, Suite 204  
New York, New York 10022

Re: VACANT LAND PARCEL  
501 East 74<sup>th</sup> Street (a.k.a. 1394 York Avenue)  
Block 1486, Lot 1  
New York, New York  
Our File No. 14-550

Dear Mr. Ohebshalom:

At your request, we have inspected and appraised the above-captioned property, which is comprised of a corner parcel of vacant land, identified as Block 1486, Lot 1 within the Borough and County of Manhattan, City and State of New York. Based on City records Lot 1 is identified as 501 East 74<sup>th</sup> Street as well as 1394 York Avenue. The subject is located on the northeast corner of East 74<sup>th</sup> Street and York Avenue.

The subject property consists of a rectangular-shaped parcel of R10 residential zoned land containing 6,093± square-feet (0.14± acres). The subject site (herein referred to as "the subject property") is currently vacant land and proposed to be improved with a 20-story (plus basement) apartment building. As of May 23, 2014, the effective date of this report, the owner reports that the site was entirely vacant and that on that date the first footings for the new construction were poured. June 4, 2014 was the date of inspection at which time a portion of the foundation was poured as illustrated in the subject photographs within the body of this report.

GOODMAN-MARKS ASSOCIATES, INC.  
REAL ESTATE APPRAISERS AND CONSULTANTS

Golden Asset, LLC c/o Sky Management Corp.  
Page 2  
June 12, 2014

The report assumes a Phase I Environmental Audit will be completed, and if required a Phase II report. Any information to the contrary may affect our value conclusion. Our physical inspection did not include an analysis of subject soils as we are not qualified to make such determinations. We have estimated total buildable floor area of 60,927± square feet in the appraisal as detailed in the report. Additionally, the subject property acquired excess development rights from the adjacent Lot 103 in the amount of 10,840± square feet for a total of 71,767± square feet of buildable floor area.

The purpose of this appraisal report is to estimate the market value of the fee simple estate of the subject site to assist our client, the Golden Asset, LLC c/o Sky Management Corp., in understanding the market value of the subject property as of May 23, 2014, the day that the footings for the new construction were installed. The intended users of this appraisal are those persons authorized by Mr. Ben Ohebshalom and the Golden Asset, LLC c/o Sky Management Corp. to utilize this report.

This appraisal report conforms to the current Uniform Standards of Professional Appraisal Practice (USPAP), as promulgated by the Appraisal Standards Board of the Appraisal Foundation, and the Code of Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, as well as Title XI of the Financial Institution's Reform, Recovery and Enforcement Act of 1989 (FIRREA) and the 2010 Interagency Appraisal and Valuation Guidelines.

This appraisal report is intended to comply with the reporting requirements set forth under for an appraisal report. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. We are not responsible for unauthorized use of this report.

In arriving at the appraised value, we have given consideration to all items influencing value, including the subject location, current and anticipated market conditions, current mortgage rates, actual income, expenses and lease terms, government rules and regulations, income rates for similar properties, as well as the rates of return of competitive properties and investments.

# CERTIFICATE OF APPRAISAL

Premises: 501 East 74<sup>th</sup> Street (a.k.a. 1394 York Avenue)  
New York, New York

We, Matthew J. Guzowski and Kenneth D. Herman, certify to the best of our knowledge and belief:

THAT, the statements of fact contained in this report are true and correct;

THAT, the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions;

THAT, we have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;

THAT, we have performed no services, as an appraiser(s) or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;

THAT, we have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;

THAT, our engagement in this assignment was not contingent upon developing or reporting predetermined results;

THAT, our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;

THAT, our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice (USPAP)*;

THAT, Matthew J. Guzowski and Kenneth D. Herman each have made a personal exterior inspection of the property that is the subject of this report;

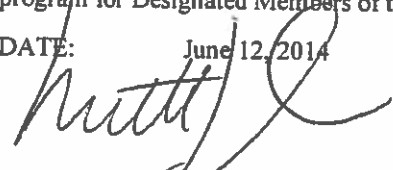
THAT, no one provided significant real property appraisal assistance to the person(s) signing this certification.

THAT, the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

THAT, the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;

THAT, as of the date of this report, Matthew J. Guzowski, has completed the continuing education program for Designated Members of the Appraisal Institute.

DATE: June 12, 2014



Matthew J. Guzowski, MAI, MRICS  
Principal  
Certified General Real Estate Appraiser  
New York Certificate #468986



Kenneth D. Herman  
Senior Appraiser  
Certified General Real Estate Appraiser  
New York Certificate #46000049567

**UNDERLYING ASSUMPTIONS AND  
LIMITING AND QUALIFYING CONDITIONS**

1. This report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for an appraisal report. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. We are not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless stated otherwise in this report.
3. The property was appraised free and clear of any or all liens and encumbrances unless stated otherwise in this report.
4. Responsible ownership and competent property management are assumed unless stated otherwise in this report.
5. The information furnished by others for the appraised property is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless stated otherwise in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined and considered in this report.
10. It is assumed that all required licenses, Certificates of Occupancy or other legislative or administrative authority from any local, state or national government or private entity have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless stated otherwise in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described, and that there is no encroachment or trespass unless stated otherwise in this report.
13. We are unaware of any easements or encumbrances that substantially impact the subject property. However, we have not been provided with a title report and if in the event such report detailed the existence of an otherwise unknown easement or encumbrance, the value conclusion contained herein may be subject to change.

## **APPRAISAL DEFINITIONS**

### **Market Value**<sup>1</sup>

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.” (12 C.F.R. Part 34.42(g); *55 Federal Register* 34696, August 24, 1990, as amended at *57 Federal Register* 12202, April 9, 1992; *59 Federal Register* 29499, June 7, 1994.)”

### **Fee Simple Estate**<sup>2</sup>

“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”

### **Intended Use**<sup>3</sup>

“The manner in which the intended users expect to employ the information contained in a report.”

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<sup>1</sup> *The Dictionary of Real Estate Appraisal – Fifth Edition*, Appraisal Institute, Chicago, IL, 2010, p. 123.

<sup>2</sup> *Ibid.*, p. 78.

<sup>3</sup> *Ibid.*, p. 102.

### **MARKETING PERIOD & EXPOSURE TIME**

A *marketing period* is generally defined as “An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (Advisory Opinion 7 of the Appraisal Standards Board of the Appraisal Foundation and Statement on Appraisal Standards No. 6, “Reasonable Exposure Time in Real Property and Personal Property Market Value Opinions” address the determination of reasonable exposure and marketing time.)”<sup>6</sup>

The subject property is presently a vacant lot in the Upper East Side section of Manhattan. Were the property available for sale as a development site, we estimate that the marketing period would be less than one year.

*Exposure time* is generally defined as “1) the time a property remains on the market and 2) the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market.”<sup>7</sup>

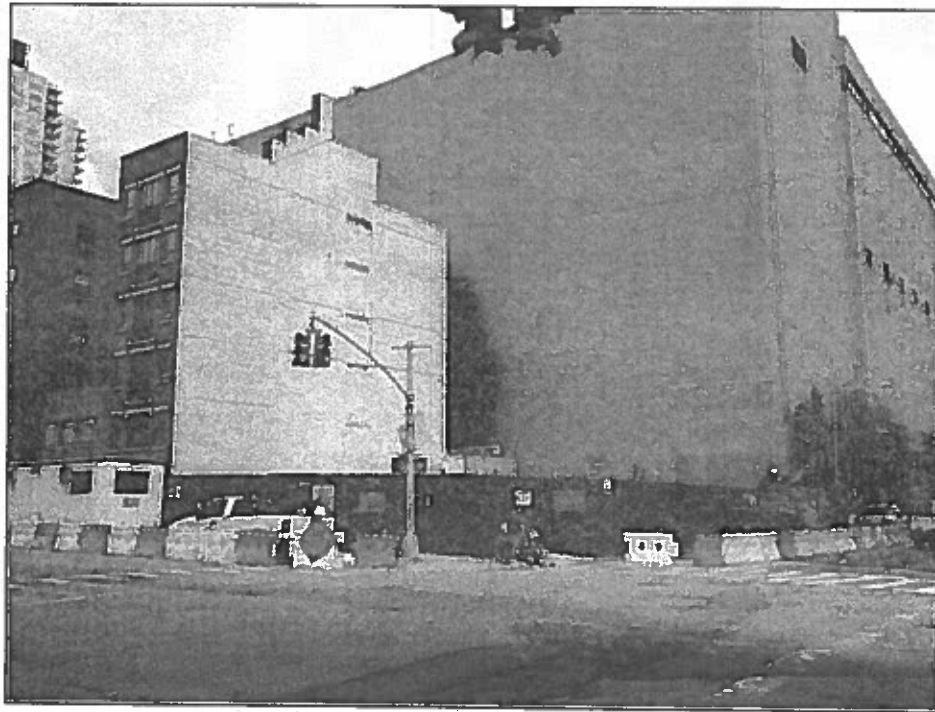
Overall, the Manhattan residential market has experienced extremely low vacancy rates and strong, continued demand by market participants over the past few years. Based on these factors, the exposure time for the subject property also would be less than one year.

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<sup>6</sup> *The Dictionary of Real Estate Appraisal - Fifth Edition*, Appraisal Institute, Chicago, IL, 2010, p 121.

<sup>7</sup> *Ibid.*, p 73.

**PHOTOGRAPHS OF THE SUBJECT PROPERTY**



**Views of Subject Property Facing Northeast**

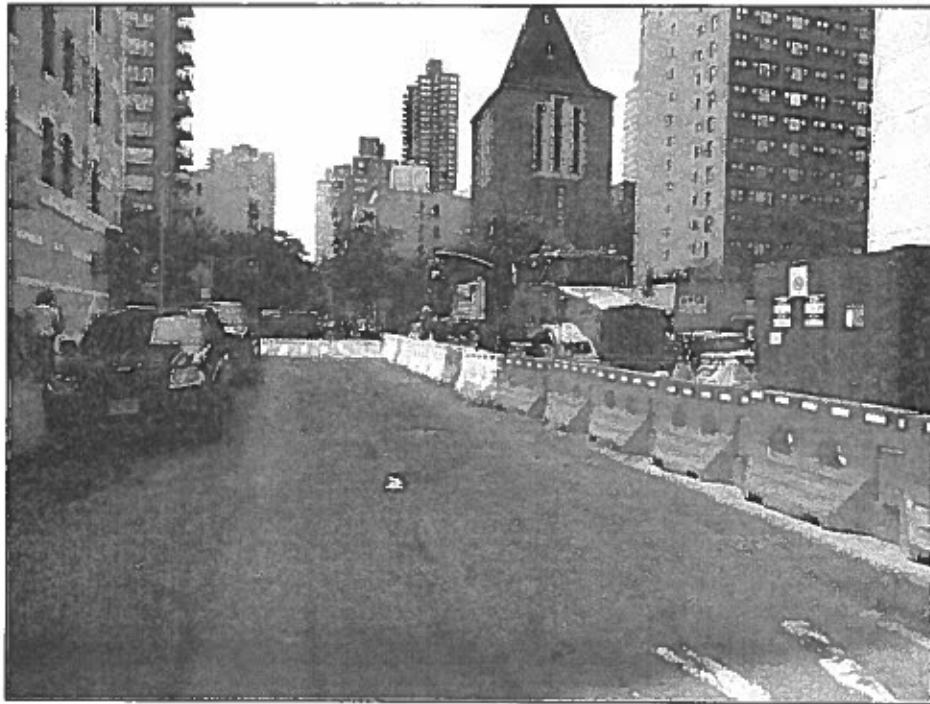




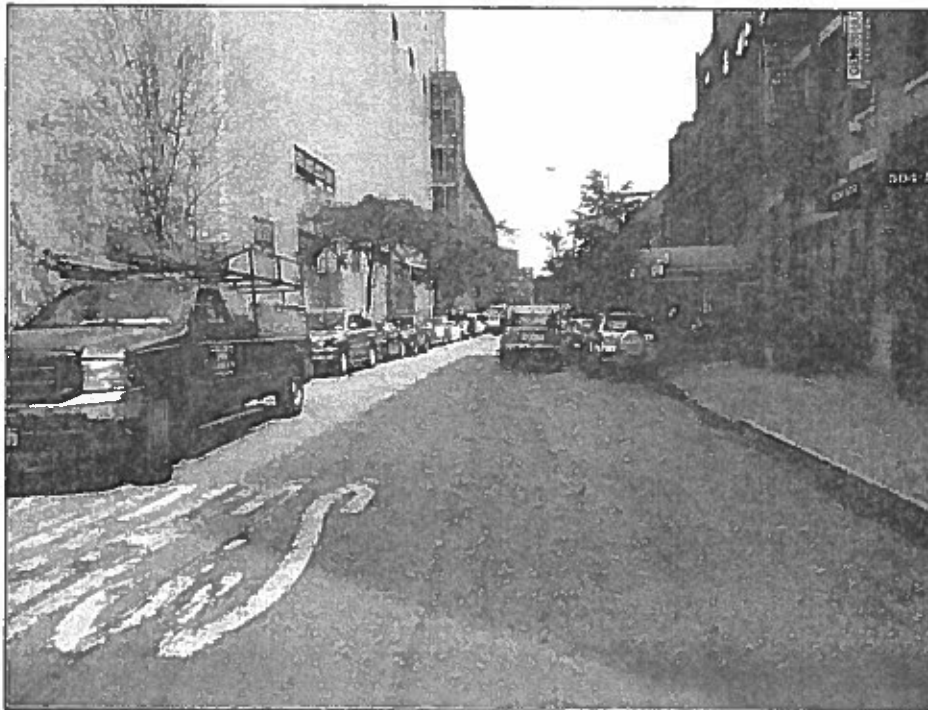
Views of Subject Property Lot







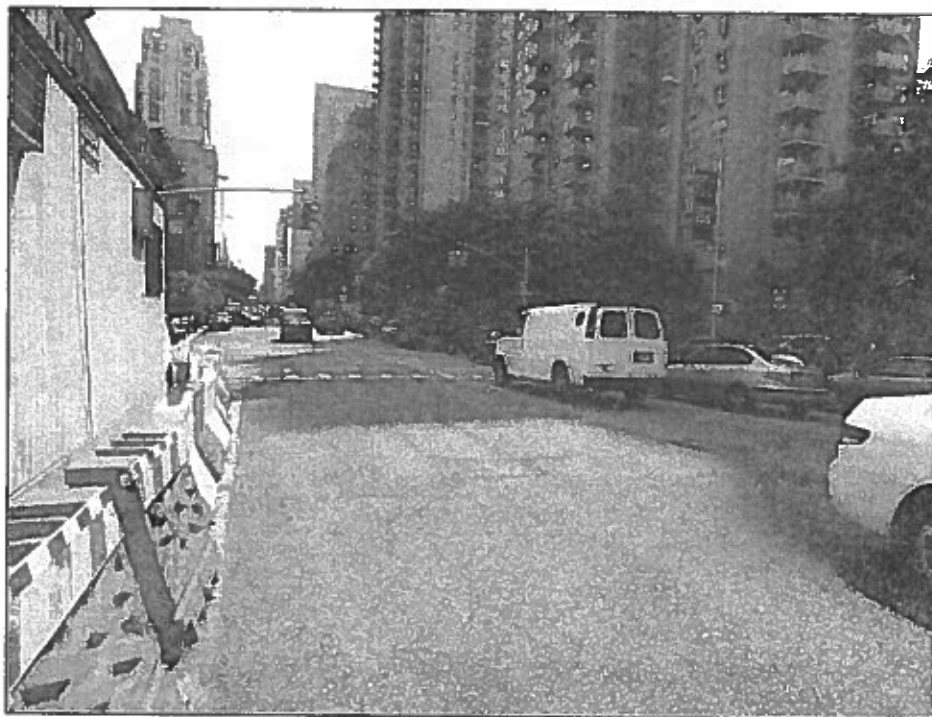
Street Scene Looking West along East 74<sup>th</sup> Street



Street Scene Looking East Along East 74<sup>th</sup> Street



Street Scene Looking North Along York Avenue



Street Scene Looking South Along York Avenue

Sales Comparison Approach

The major premise of the sales comparison approach is the principle of substitution, which states that an informed and knowledgeable purchaser would pay no more for a property than the cost of acquiring an existing property with similar investment features. We have identified a number of comparable sales of residentially-zoned Vacant Land Parcel within the Borough of Manhattan. The process required us to individually analyze and compare each sale property to the subject and make adjustments to the per-square-foot-of-buildable-area values for market-sensitive differences between each sale and the subject property. The appropriately adjusted sales provided an indication of value for the subject property as vacant land.

### LOCAL AREA DESCRIPTION

The subject property is located in the Upper East Side neighborhood of Manhattan, which, together with the neighborhoods of the Lenox Hill and Yorkville as well as Roosevelt Island, comprise the area designated by the Department of City Planning as Manhattan Community District #8. The district extends northward from the north side of East 59<sup>th</sup> Street to the south side of East 96<sup>th</sup> Street, and eastward from Fifth Avenue to the East River.

With a total land area of 2.0± square miles, Community District #8 comprises one of the most densely populated areas in the nation, with 219,920 residents as of the 2010 U.S. Census. The area has continued to grow with the replacement of low-rise buildings with high-rise structures. As of the 2008-2010 American Community Survey 3-Year Estimate, there was a total of 139,684 housing units in the district, of which 33 percent were constructed prior to 1940.

The following table details the land use within Community District #8 as of 2012:

#### Land Uses – Manhattan Community District #8

LAND USE, 2012			
	Lots	Lot Area	
		Sq. Ft.(000)	%
1- 2 Family Residential	1,016	1,978.7	5.2
Multi-Family Residential	2,184	17,354.4	45.3
Mixed Resid. / Commercial	1,606	8,684.2	22.7
Commercial / Office	343	1,601.1	4.2
Industrial	25	166.4	0.4
Transportation / Utility	35	889.0	2.3
Institutions	306	5,534.3	14.4
Open Space / Recreation	12	1,408.7	3.7
Parking Facilities	35	277.9	0.7
Vacant Land	38	376.6	1.0
Miscellaneous	18	71.2	0.2
<b>Total</b>	<b>5,618</b>	<b>38,342.6</b>	<b>100.0</b>

Source: New York City Department of City Planning.

## RESIDENTIAL MARKET OVERVIEW

The labor market continued to improve modestly in the fourth quarter 2013. In September 2013, The *New York Times* reported disappointing payroll employment numbers, although the national unemployment rate in January 2014 edged downward to 6.6% from 6.7% in December of 2013. However, Joshua Shapiro, chief U.S. economist at MFR, posits the numbers belie the actual struggle in the labor market, because people dropped out of the labor force, not because more unemployed people found suitable jobs.

Although growth overall has been middling to moderate, American employers continue to slowly add jobs, while the current consensus remains that a long path to healthy payrolls awaits the economy of the United States. Locally, government, economists and academics predict job growth of 5,000 to 10,000 per month in Manhattan for the remainder of the year. Several different reports from investors, analysts and municipalities, expressed concern that the quality of created jobs in New York City and nationally concentrate in low-income positions, such as retail, fast food, and home health care.

Dovetailing with these analyses, nationally, the *New York Federal Reserve Staff Forecast* as of May 2013, forecasts moderate expansion over the next two years, with projected sluggishness over the coming year because of fiscal policy, with a lesser contributory amount of drag attributed to the European sovereign debt crisis and the conclusion of deleveraging by households. They anticipate stronger growth in 2014, and projected a more substantial decline in unemployment, to about 6.5% because of continued improvements labor market and financial conditions; fourth quarter real GDP growth is projected to be approximately 3.25%. A national sustained unemployment rate of 7% typically signals and end to stimulus policy to the Federal Reserve Board.

Despite perceived disconnects between the labor and investment markets, many economists believe the Federal Reserve has been entertaining the possibility of “tapering.” This translates to the Federal Reserve pulling back on its stimulus program in the third quarter. The lackluster employment rates withstanding, should the Federal Reserve find enough “bright spots” and positive forward looking indicators in the mix, the strong likelihood favors their

in obtaining a mortgage, permitted multifamily owners to raise rents to unprecedented highs. Amid this euphoria, Miller Samuel suggest there may be some “real estate red flags”: rising interest rates, high structural unemployment, local politics (especially the New York City mayoral race), and spiking land prices. Vacancy rates have increased to 1.74% from 1.38%, year-over-year and land lords have responded with a slight decrease in rental rates.

In 2009, there were few units delivered to market and many developments were cancelled in the wake of the recession. According to data examined by Corcoran Sunshine Marketing Group, New York City had the lowest amount of residential availability in September 2013. Developers have taken notice and moved back into the construction fray, with an estimated 2,500 new units scheduled to hit the market, with no cancellations. As a result of these developments, many persons and families continue to rent instead of buy, an example of the lingering effects of the credit crisis including a dampening of positive social attitudes toward home ownership. Nevertheless, even with renter fatigue, housing prices for both renters and purchasers have increased in 2013, because demand still outpaces supply. Along with demand, population growth keeps landlords from having to lower rental rates to compete with a nascent growing inventory, while newfound stability in the employment market renews confidence in single family cooperative and condominium sales.

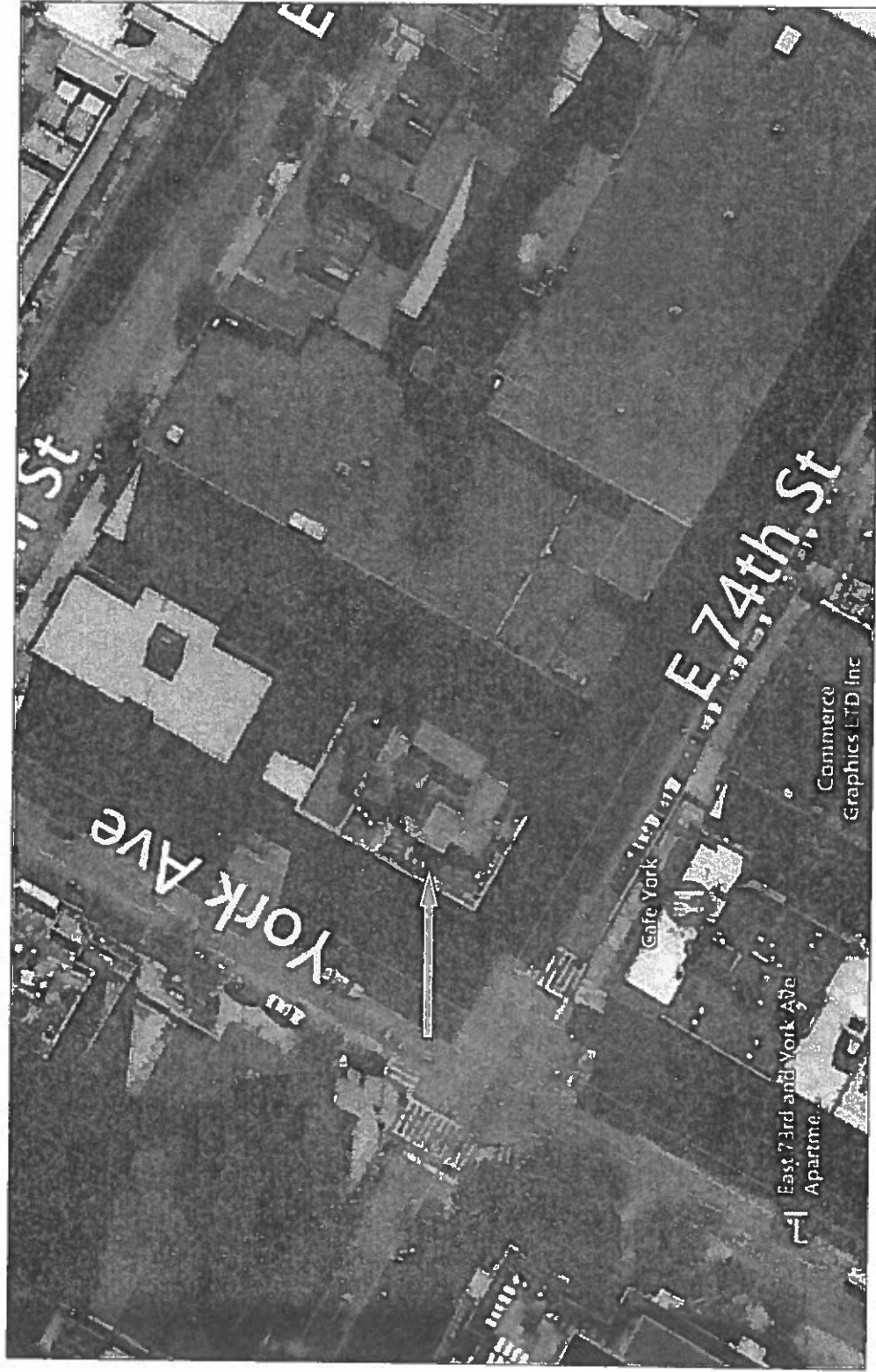
Especially desirable neighborhoods with the strongest rental demands are experiencing a greater volume of sales, as the breakeven rental versus buying calculation begins to favor purchasing, and the total number of both cooperative and condominium listings declined greatly year-over-year. For those persons with stable job history, good credit and access to down-payment funds, transitioning to home ownership market may make more sense. A year-over-year drop in supply led to increases in median and per-square-foot prices.

weakest quarter of the year, the fourth quarter sales total of 3,297 was the highest fourth quarter total in the last 25 years and was above the very active spring market. The burst in sales activity was the remainder of the momentum that began in the third quarter fueled by the May/June spike in mortgage rates as well as the release of pent-up demand culminating with the fiscal cliff event at the end of 2012.

With the residential rental and sales market posting record numbers, developers and investors formerly on the sidelines re-entered the market over the past years via REIT and hedge funds as well as direct capital investment. REITs' fund-raising exceeded expectations in 2012, and they continue to raise funds at records levels. Lured in part by low interest rates, enabled – for now - by the Federal Reserve, developers are active in the multifamily market.

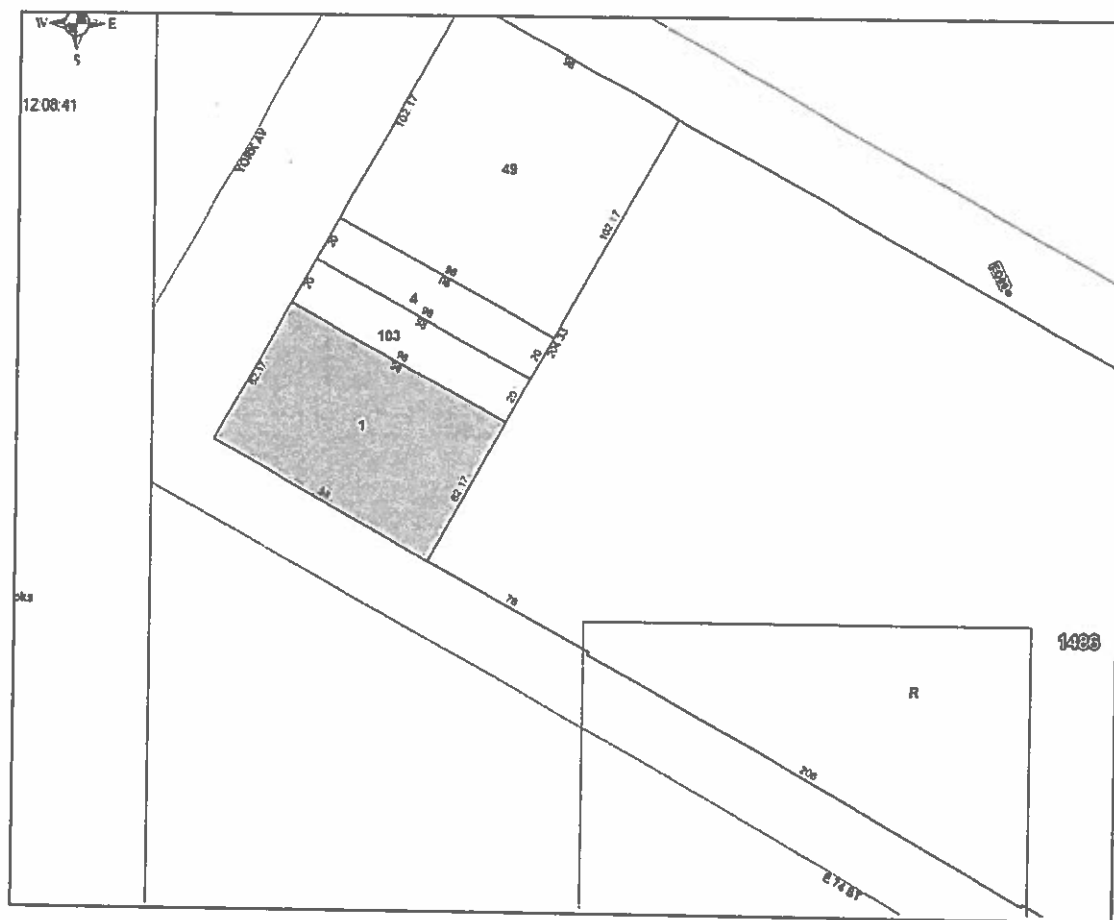
In general, the overall economy now encourages either renting or purchasing on the retail end, if positioned to meet lending criteria. However, currently, institutional and private financing favor developers, investors and landlords. With low capitalization rates in the apartment arena, especially in core markets, some interest has transferred to other real asset classes. Nevertheless, the multifamily market, with steady capitalization rates, has remained one of the favorite of investors and lenders eager to satisfy pent-up residential demand.

A summary of the subject's submarket residential rental rates performance follows. Overall, the subject area is a desirable neighborhood, near the commercial district, with many amenities, evinced by high average rental rates (with some of the largest price increases), and a vacancy rate of under 2%. The CitiHabitats chart is shown below, as of January 2014:

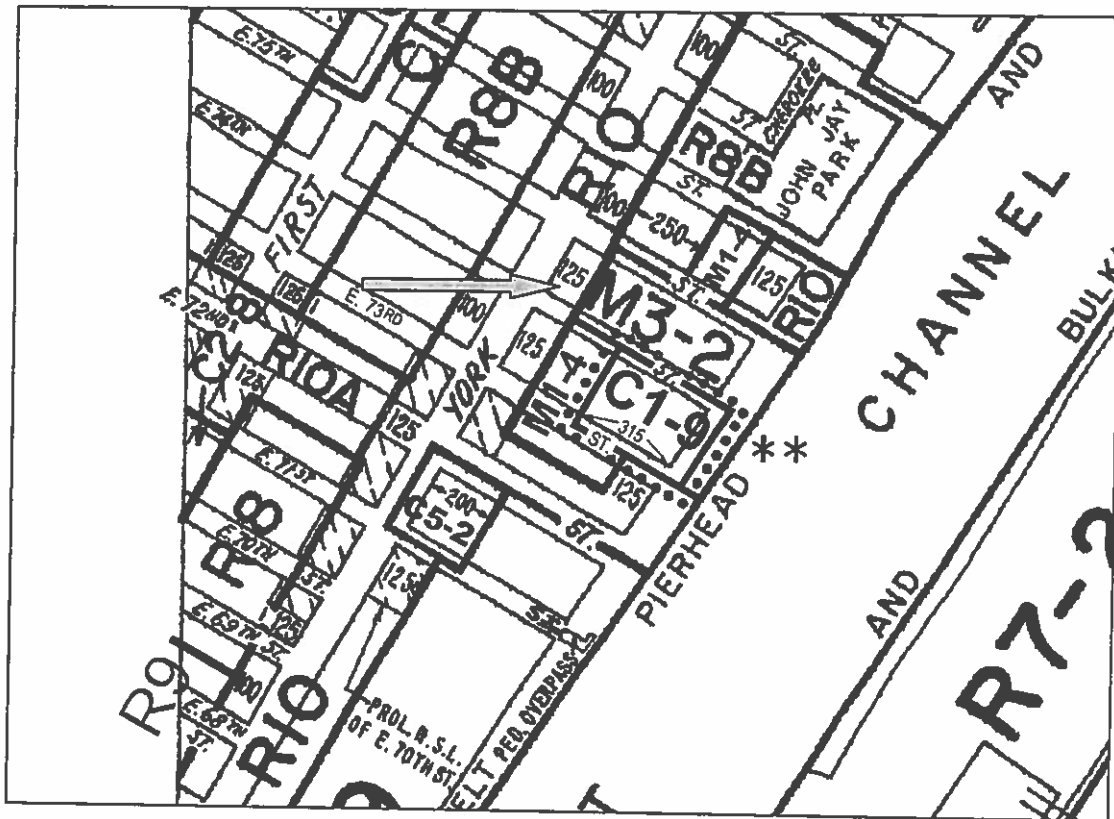
AERIAL VIEW OF SUBJECT



# TAX MAP



ZONING MAP



The subject property is situated in an Inclusionary Housing District which allows a higher density above the amount allowed as-of-right for new buildings if a developer includes affordable housing, based on income requirements. If a developer elects not to include affordable housing, the new building is limited to the lower FAR allowed as-of-right. This decision to develop with or without affordable housing is now complicated because of the changes in the 421-A Tax Abatement laws between 2007 and 2010. The subject property may only qualify for enhanced tax abatements if 20% of the units will be affordable apartments built on site. The law dictates the part of design of the building accommodating these units. It limits the 421-a benefit on market rate units. Also, as a property located south of 110<sup>th</sup> Street, the benefits may be limited to 20 years, while all of the affordable units may be subject to rent stabilization for 35 years. Employees must be paid the prevailing wage as determined by the controller.

We also considered other issues that may allow buildings of a greater bulk than the as-of-right floor area ratio (FAR) would allow. It must be noted a primarily above grade basement area is generally included in the as-of-right FAR, but there have been instances where it has not been included. Additional stories may also be allowed for community facility use. In contextual districts the placement and height of the neighboring improvements may have an effect on the design.

Since the decisions concerning the subject's sites are varied, requiring professional guidance, so too are the entrepreneurial decisions similarly varied that are site specific to each development parcel in the City.

Therefore, the appraisers use the uniform as-of-right residential FAR in the sales comparison approach because it is a standard measurement applicable to any development lot.

Based on the above, we have estimated a buildable area or Floor Area Ratio (FAR) as-of-right of 60,927± square feet, and added the excess development rights acquired from the adjacent Lot 103 (10,840± square feet) as detailed below:

## **HIGHEST AND BEST USE**

### **Highest and Best Use**<sup>8</sup>

“The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property, specific with respect to the user and timing of the use, that is adequately supported and results in the highest present value.”

In order to determine the highest and best use of the site, we have considered the physically possible, legally permitted, economically feasible and maximally productive uses of the subject property as vacant.

### **Highest and Best Use of Land or a Site as Though Vacant**<sup>9</sup>

“Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.”

The physically possible uses are determined by the size and configuration of the subject sites. The subjects’ shapes and moderately-sloping topography do not hinder the site development in a significant manner for the permitted uses. The subject property is subject to residential zoning laws. It has desirable frontage along East 74<sup>th</sup> Street and York Avenue. The surrounding uses are predominately residential uses with some ground floor retail uses.

The legally permitted uses are determined by the subject property’s zoning. The property is located in an R10 zoning district. Permitted uses in the R10 district are multi-family residential or community facility.

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<sup>8</sup> *The Dictionary of Real Estate Appraisal – Fifth Edition*, Appraisal Institute, Chicago, IL, 2010, p. 93.

<sup>9</sup> *Ibid.*, p. 93.

### **SALES COMPARISON APPROACH METHODOLOGY**

The sales comparison approach involved a comparison of the subject property to similar properties that have sold in the same or in a similar market. The following steps were implemented in arriving at our estimate of value for the subject property via the sales comparison approach:

- 1) Pertinent sales, listings and/or offerings that were available for similar vacant land parcels were researched.
- 2) The prices as to the terms, motivating forces and bona fide nature of each transaction were confirmed and qualified.
- 3) The important attributes of each comparable property were compared to the corresponding ones of the subject under the general categories of time, location, size and zoning/utility.
- 4) All dissimilarities and their probable effect on the price of each comparable property were considered to derive a market value indication for the subject.
- 5) An opinion of market value for the subject property was formulated from the analyzed data.

buildable areas are between 11,581± and 58,086± square feet. The unadjusted sale prices ranged from \$258.51 to \$431.74 per square foot of buildable area.

Prior to estimating the land value of subject's sites, the differences between the comparables as they relate to the subject were considered. On this basis, quantitative adjustments were applied to each of the prices per square foot of buildable area to reflect these differences and refine the indicated range. An upward adjustment indicates that the comparable is inferior to the subject, while a downward adjustment indicates the comparable to be superior.

Since each of the comparable land sales was transferred for cash or its equivalent, financing adjustments were not necessary.

#### Market Conditions (Time)

The first adjustment considered was for market conditions (time). Market conditions for vacant land have exhibited a positive upward trend between 2011 and 2014. Therefore, Sales #3, #4, #5 and #6 were adjusted upward to bring them into parity with current market conditions. Additionally, Sale #1 is a current listing price that is under contract (no contract price was obtained) and had not closed as of the date of this appraisal. Therefore, we applied a downward adjustment to account for the negotiation process of this listing price.

#### Location

The next adjustment considered was for location. The subject consists of a parcel of vacant land located on the northeast corner of East 74<sup>th</sup> Street and York Avenue with frontage on both streets in the Upper East Side of Manhattan. The Upper East Side is a mature and stabilized, upscale neighborhood.

Sale #1 is located north of the subject in the East Harlem section of Manhattan which is inferior to the subject area and was, therefore, adjusted upward. Sale #3 is inferior in location as compared to the subject due to being located in an inferior neighborhood that attracts lower apartment rents. Sale #4 is similar in location to the subject property and did not require an adjustment. The remaining comparable sales are in superior neighborhoods that can attract higher apartment rents. Therefore, Sales #2, #5 and #6 were adjusted downward, accordingly.

# ADJUSTMENTS TO THE COMPARABLE VACANT LAND SALES

Sale No.	Location	Sale Date	Maximum Building Area (Sq. Ft. ±)	Sale Price/ Sq. Ft. FAR	Market Adj. = Adj. x Price/ Sq. Ft.	Adjustments				Adj. Price/ Sq. Ft. FAR
						Location	Size	Property Character	Zoning	Total Adj. =
1	1381-1399 Park Avenue, East Harlem, NY	Pending	38,882	\$397.16	0.90	1.20	0.95	0.95	1.00	1.08
										\$386.04
2	543 Second Avenue, Kip Bay, NY	12/26/13	11,581	\$431.74	1.00	0.95	0.80	1.00	0.95	0.72
										\$310.85
3	327-331 East Houston St., Lower East Side, NY	6/13/12	48,160	\$258.51	1.00	1.20	0.95	1.05	1.00	1.20
										\$341.23
4	301 East 61 <sup>st</sup> Street, Upper East Side, NY	3/22/12	45,812	\$344.41	1.00	1.00	0.95	1.00	0.95	0.90
										\$340.97
5	147-157 West 21 <sup>st</sup> Street, Flatiron District, NY	3/2/11	58,086	\$331.52	1.00	0.95	1.00	1.10	0.95	0.99
										\$377.44
6	180 6 <sup>th</sup> Avenue, SoHo, NY	2/24/11	42,208	\$410.40	1.00	0.75	0.95	1.10	0.95	0.74
										\$349.25

**LAND SALES VALUE CONCLUSION**

Prior to adjustments, the comparable land sales ranged from \$258.51 to \$431.74 with a mean of \$362.29 per square foot per square foot of buildable area. After applying the various adjustments, the sales evolved to a range of \$310.85 to \$386.04 per square foot, with a mean of \$350.96 and a median of \$345.24 per square foot of buildable area.

Based on all of the above, giving the most weight to Sale #4, due primarily to its proximity to the subject, and equal weight to the remaining comparable sales, we have selected a value of \$350.00 per square foot of FAR to be applied to the subject land, which is well supported by the above analysis and resulted in the following land value estimate:

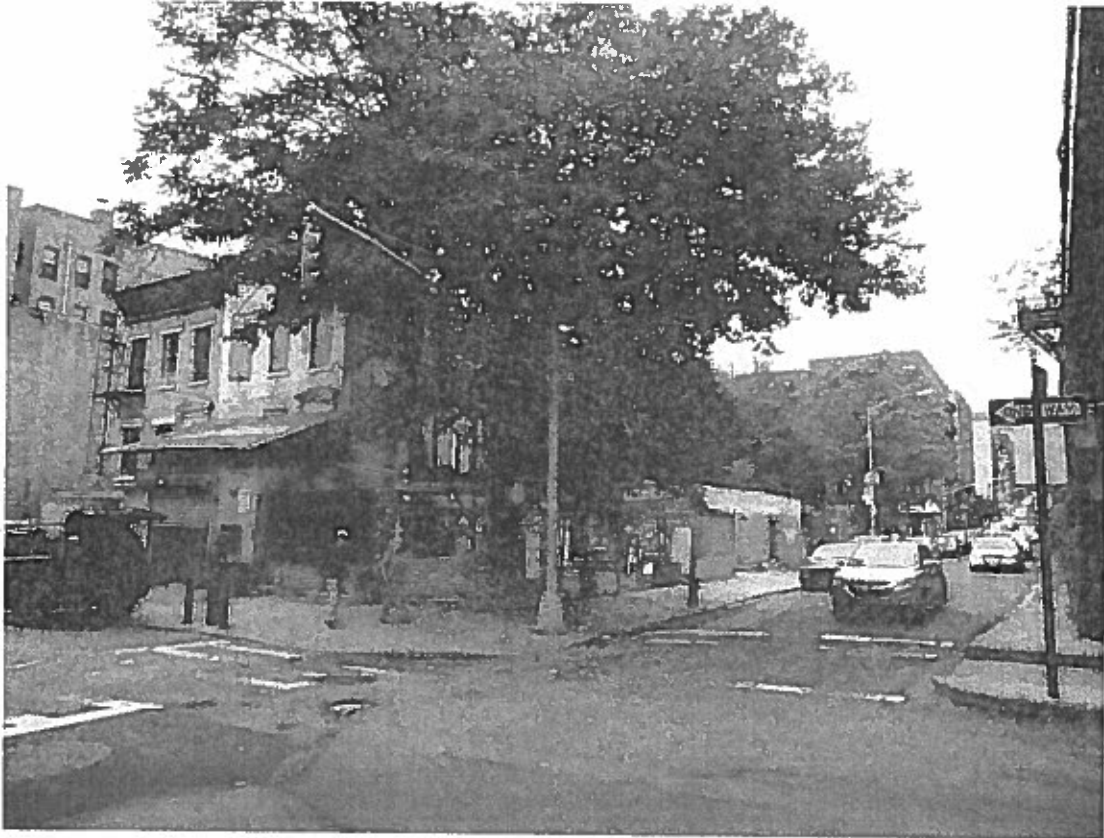
<u>Price/Sq. Ft. of FAR</u>		<u>Buildable FAR (Sq. Ft. ±)</u>		<u>Indicated Land Value via Sales Approach</u>
\$350.00	x	71,767	=	\$25,118,450.00
			<b>Rounded</b>	<b>\$25,000,000.00</b>



# LIST OF COMPARABLE VACANT LAND SALES

**Vacant Land Sale #1**  
**Block 1631, Lots 1, 70, 71, 72 and 101**

**1381-1399 Park Avenue**  
**East Harlem, New York**



<b>Grantor</b>	Intertrade International, Ltd.
<b>Date of Sale (Recorded)</b>	Under Contract (N/A)
<b>CRFN#</b>	N/A
<b>Description</b>	Sale of a block front assemblage of five lots with frontage on three streets, Park Avenue, 103 <sup>rd</sup> and 104 <sup>th</sup> Streets. Two of the lots include improvements with an aggregate total of 5,700± sq. ft. of improvements that will be demolished prior to redevelopment of the site. Since the demolition cost to raze the existing buildings will be incurred by the developer, added to the indicated sale price is a demolition cost estimate of \$25.00 per square foot.
<b>Zoning/FAR</b>	R7-2/3.44
<b>Land Area</b>	11,303± sq. ft.
<b>Maximum Buildable FAR</b>	38,882± sq. ft. as-of-right
<b>Indicated Sale Price</b>	\$15,300,000.00
<b>Plus: Demolition Cost</b>	\$ 142,500.00
<b>Adjusted Sales Price</b>	\$15,442,500.00
<b>Sale Price/Sq. Ft. FAR</b>	\$397.16

**Vacant Land Sale #2**  
**Block 911, Lot 29**

**543 Second Avenue**  
**Kip Bay, New York, New York**



<b>Grantor/Grantee</b>	543 Second Avenue, LLC / 543 2 <sup>nd</sup> Realty, LLC
<b>Date of Sale (Recorded)</b>	12/26/13 (1/17/14)
<b>CRFN:</b>	2014000023311
<b>Description</b>	Sale of a corner parcel of land with no improvements. This lot is located directly across the street from the Loews Kips Bay Movie Theatre Complex.
<b>Zoning/FAR</b>	C1-8A (Equivalent to R9-A) – City of New York (7.52 FAR)
<b>Land Area</b>	1,540± sq. ft.
<b>Maximum Buildable FAR</b>	11,581± sq. ft.
<b>Indicated Sale Price</b>	\$5,000,000.00
<b>Sale Price/Sq. Ft. FAR</b>	\$431.74

**Vacant Land Sale #3**  
**Block 345, Lot 17**

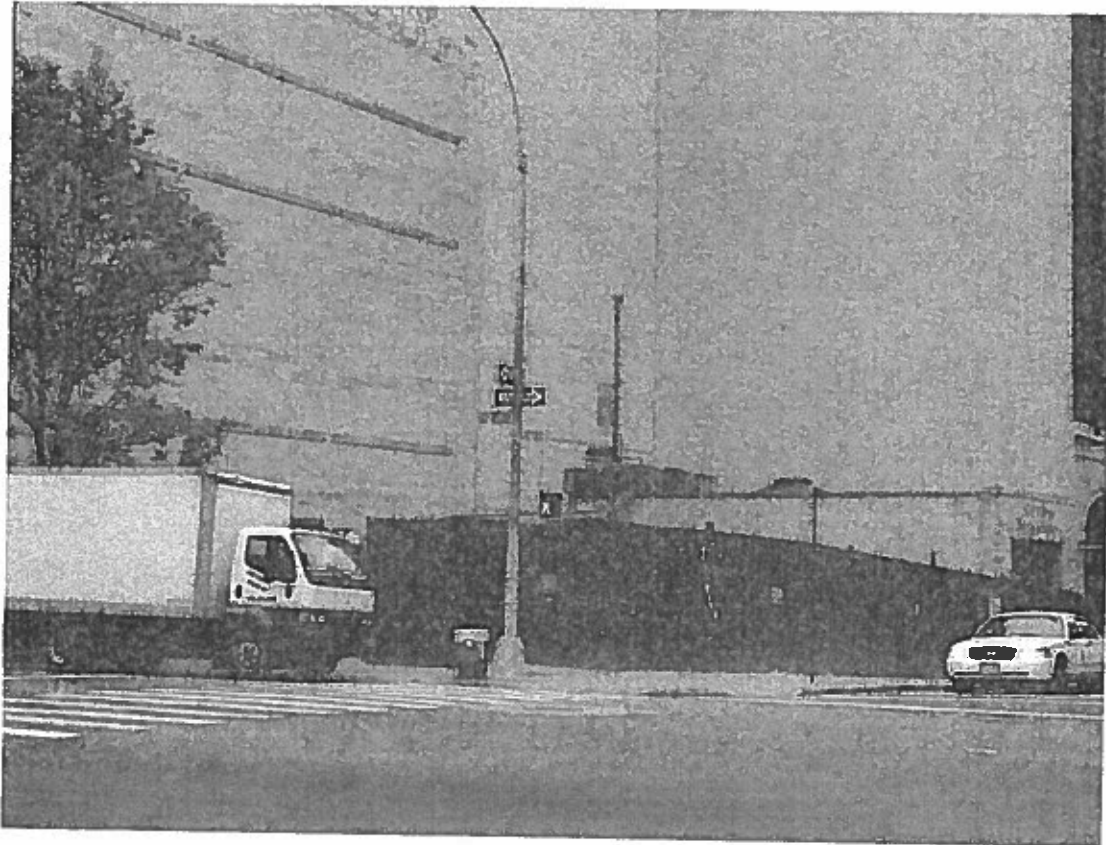
**327-331 East Houston Street**  
**Lower East Side, New York, New York**



<b>Grantor/Grantee</b>	327 East Houston Street, LLC & Michael Albano / East Houston Development, LLC
<b>Date of Sale (Recorded)</b>	6/13/12 (7/13/12)
<b>CRFN:</b>	2012000274386 & 2012000274385
<b>Description</b>	At the time of sale, this property consisted of four adjoining lots (Lots 15, 16, 17 & 19) under two ownerships that included one commercial building, containing a total building area of 2,000± square feet. The resulting assemblage primarily has frontage on East Houston Street, but is a flag lot with 20± feet of frontage on Ridge Street. Since the demolition cost to raze the existing buildings will be incurred by the developer, added to the indicated sale price is a demolition cost estimate of \$25.00 per square foot.
<b>Zoning/FAR</b>	R8-A – City of New York (6.02 FAR)
<b>Land Area</b>	8,000± sq. ft.
<b>Maximum Buildable FAR</b>	48,160± sq. ft.
<b>Indicated Sale Price</b>	\$12,400,000.00
<b>Plus: Demolition Cost</b>	\$ 50,000.00
<b>Adjusted Sales Price</b>	\$12,450,000.00
<b>Sale Price/Sq. Ft. FAR</b>	\$258.51

**Vacant Land Sale #4**  
**Block 1436, Lot 1**

**301 East 61<sup>st</sup> Street**  
**Upper East Side, New York, New York**



<b>Grantor/Grantee</b>	Gould 61 <sup>st</sup> St LLC / 61 <sup>st</sup> & 2 <sup>nd</sup> NYC, LLC
<b>Date of Sale (Recorded)</b>	3/22/12 (4/4/12)
<b>CRFN#</b>	2012000132890
<b>Description</b>	Sale of a corner parcel of land that included a five-story mixed-use building with an aggregate total of 15,125± sq. ft. that was delivered vacant and has been demolished since the purchase of the site. Additionally, included in the sale was 8,000± square feet of inclusionary air rights. Since the demolition cost to raze the existing buildings was incurred by the developer, added to the indicated sale price is a demolition cost estimate of \$25.00 per square foot.
<b>Zoning/FAR</b>	C2-8 (Equivalent to R10) – City of New York (10.0 FAR)
<b>Land Area</b>	3,782± sq. ft.
<b>Maximum Buildable FAR</b>	45,812± sq. ft. (Includes 8,000± sq. ft. additional inclusionary air rights)
<b>Indicated Sale Price</b>	\$15,400,000.00
<b>Plus: Demolition Cost</b>	\$ 378,125.00
<b>Adjusted Sales Price</b>	\$15,778,125.00
<b>Sale Price/Sq. Ft. FAR</b>	\$344.41

**Vacant Land Sale #5**  
**Block 797, Lot 12**

**147-157 West 21<sup>st</sup> Street**  
**Flatiron, New York, New York**

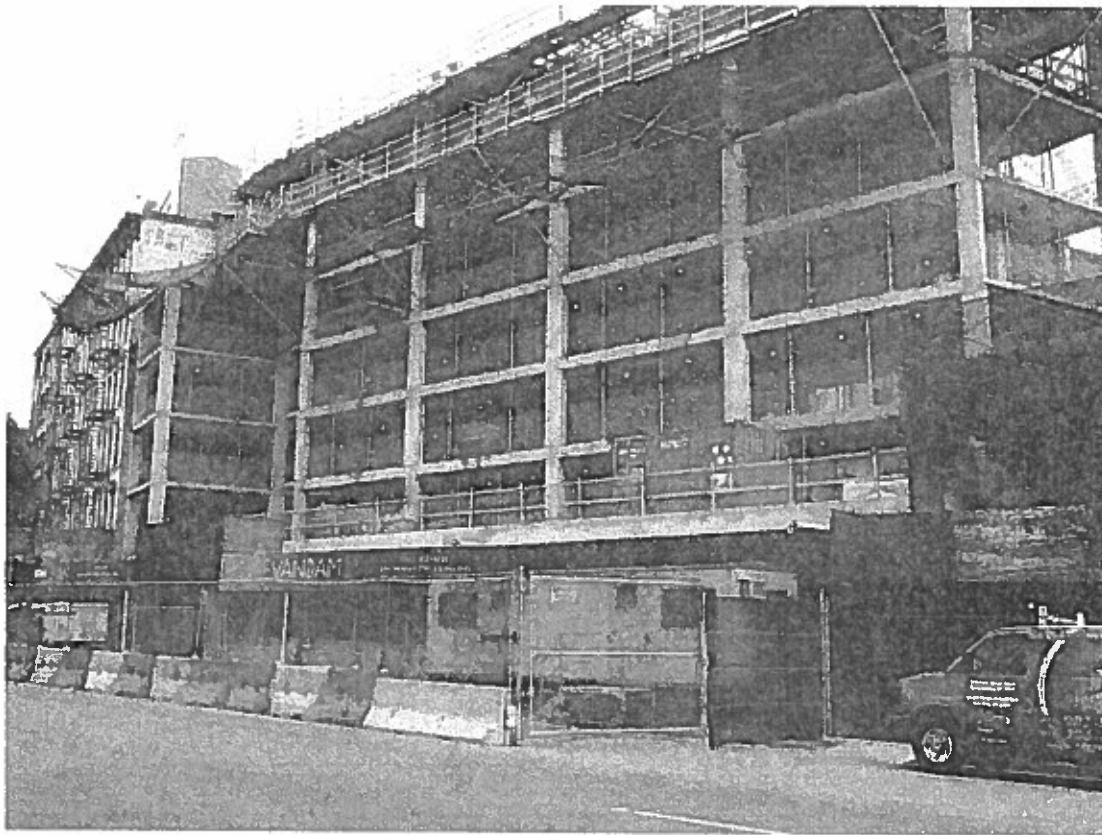


<b>Grantor/Grantee</b>	Extell 21 <sup>st</sup> Street, LLC / First West 21 <sup>st</sup> Street, LLC
<b>Date of Sale (Recorded)</b>	3/2/11 (3/17/11)
<b>CRFN:</b>	2011000097566
<b>Description</b>	Sale of a mid-block parcel that originally consisted of four adjacent lots (Lots 12-15) with an aggregate total of 73,698±-square-feet of improvements. Since the demolition cost to raze the existing buildings was incurred by the developer, added to the indicated sale price is a demolition cost estimate of \$25.00 per square foot.
<b>Zoning/FAR</b>	C6-3A (Equivalent to R9A) – City of New York (7.52 FAR)
<b>Land Area</b>	7,724± sq. ft.
<b>Maximum Buildable FAR</b>	58,086± sq. ft.
<b>Indicated Sale Price</b>	\$17,414,100.00
<b>Plus: Demolition Cost</b>	\$ 1,842,450.00
<b>Adjusted Sales Price</b>	\$19,256,550.00
<b>Sale Price/Sq. Ft. FAR</b>	\$331.52



**Vacant Land Sale #6**  
**Block 504, Lot 5**

**180 Avenue of the Americas**  
**SoHo, New York, New York**



<b>Grantor/Grantee</b>	Soho Love LLC / Tavros Soho Realty LLC
<b>Date of Sale (Recorded)</b>	2/24/11 (3/8/11)
<b>CRN</b>	2011000083882
<b>Description</b>	Sale of a mid-block parcel that originally consisted of four adjacent improved lots (Lots 7-10) with an aggregate total of 9,360±-square-feet of improvements. This sales was a part of a larger assemblage spanning several years. Since the demolition cost to raze the existing buildings was incurred by the developer, added to the indicated sale price is a demolition cost estimate of \$25.00 per square foot.
<b>Zoning/FAR</b>	R7-2/ C1-5 Overlay (3.44 FAR – Residential)
<b>Land Area</b>	12,270± sq. ft.
<b>Maximum Buildable FAR</b>	42,208± sq. ft.
<b>Indicated Sale Price</b>	\$17,088,312.00
<b>Plus: Demolition Cost</b>	\$ 234,000.00
<b>Adjusted Sales Price</b>	\$17,322,312.00
<b>Sale Price/Sq. Ft. of FAR</b>	\$410.40

## CORRELATION AND VALUE CHOICE

We have been requested to appraise the market value of the subject property parcel located on the northeast corner of East 74<sup>th</sup> Street and York Avenue in the Borough of Manhattan, New York. In estimating the market value of the subject plot at its highest and best use, we considered the three approaches to value.

### Cost Approach

In appraisal theory, we assume that an informed purchaser would pay no more for a property than the cost of producing a similar investment. The cost approach is based on an estimate of the reproduction or replacement cost of any building on the site, less depreciation, plus the estimated cost of the land. This approach is most useful when a site's improvements are new, or nearly new, and land value can be readily estimated. We did not use the cost approach in this appraisal report because the subject property is vacant land.

### Income Capitalization Approach

The income capitalization approach involves deriving an estimate of the potential income of a property, which would then be converted into the net operating income. Then an appropriate capitalization rate would be selected, converting the net operating income into a value estimate. We did not use this valuation method in this appraisal, because the subject property consists of vacant land and would not be purchased for its ability to generate income in its current state.

### Sales Comparison Approach

The theoretical basis for the sales comparison approach is that an informed purchaser will pay no more for a property than the cost of acquiring an existing property with similar characteristics and development potential. Using this technique, we compared similar vacant, residential-zoned land sales to the subject and made appropriate adjustments to the sale price per as-of-right square foot of buildable FAR of each sale, as a means of reflecting differences between the respective sales and the subject. This resulted in an indication of value of the subject property. The value indication produced by the sales comparison approach was:

\$25,000,000.00

## QUALIFICATIONS

The firm of Goodman-Marks Associates, Inc., with offices located at 170 Old Country Road, Mineola, New York, and 420 Lexington Avenue, New York, New York, is a licensed real estate broker in the State of New York. Members of the firm are licensed real estate appraisers in the States of New York and New Jersey.

The firm has furnished real estate appraisals to financial institutions for mortgage and sale purposes, and many of these valuation assignments have been performed throughout the country.

The types of assignments that we typically handle encompass all facets of the real estate appraisal/consultation spectrum. These have included office buildings (both urban and suburban), shopping centers (strip, neighborhood and regional mall), freestanding department stores, fast-food buildings, gas stations, apartment houses (both urban and suburban; high-rise and garden type), cooperative and condominium residential housing (to be developed as well as to be converted), mixed-use development, hotels and motels, industrial and warehouse facilities and vacant land. Special types have included banks, auto showrooms, theaters, schools, bowling alleys, golf courses, nursing homes, etc.

Members of the firm have testified as to the value of land and buildings before the Supreme Court of the State of New York, the Court of Claims of New York State and the United States Federal Court.

The above history, the additional personal experience, affiliations, numerous similar properties appraised and education of the appraisers, as outlined on this and the following pages, qualify them as competent to complete this assignment.



**MATTHEW J. GUZOWSKI, MAI, MRICS, PRINCIPAL**  
**GOODMAN-MARKS ASSOCIATES, INC. (continued)**

**PROFESSIONAL MEMBERSHIP**

Appraisal Institute - MAI Designation #10114  
Long Island, New York Chapter  
Chairman – Admissions Committee, Long Island Chapter, 2000-2006  
Chairman – Budget & Finance Committee, Long Island Chapter, 2007  
Treasurer – Long Island Chapter, 2007  
Secretary – Long Island Chapter, 2008  
Vice President – Long Island Chapter, 2009  
Senior Vice President – Long Island Chapter, 2010  
President – Long Island Chapter, 2011

The Royal Institution of Chartered Surveyors I.D. #6404964

REBNY – Membership I.D. #49202

Community Bankers Mortgage Forum

**GUEST LECTURER** New York University – Real Estate Institute

**LICENSES**  
Certified General Real Estate Appraiser  
State of New York Certificate #468986  
State of New Jersey Certificate #RG01461  
State of Connecticut Certificate #RCG0001210  
New York State Salesperson License #10401205644

***KENNETH D. HERMAN, APPRAISER***  
**GOODMAN-MARKS ASSOCIATES, INC.** *(continued)*

1/00 to 8/01:

*Bowes and Company*

Appraiser trainee/research assistant preparing narrative appraisal reports of income-producing and other properties to determine market valuations throughout the five-county Denver MSA. These reports are used for mortgage purposes, settlement of estates, redevelopment and condemnation.

**EDUCATION**

**College:**

University of Rochester, NY.

Degree: BA – History

May, 1989

**Professional:**

*Appraisal Institute*

Courses successfully completed:

Course 110 – Real Estate Appraisal Principles

Course 120 – Real Estate Appraisal Procedures

Course 310 – Basic Income Capitalization

Course 510 – Advanced Income Capitalization

Course 520 – Highest and Best Use and Market Analysis

**LICENSES:**

Certified General Real Estate Appraiser

State of New York Certificate #4649567

Certified General Real Estate Appraiser

State of New Jersey Certificate #42RG00212100



State of New York )

) ss.:

County of New York)

**Benjamin Ohebshalom**, being duly sworn, under penalty of perjury, deposes and says:

1. I, **Benjamin Ohebshalom, Manager, Golden Asset, L.L.C.**, am making this application for a Preliminary Certificate of Eligibility for 421-a Partial Tax Exemption (the "Application").
2. I have read and understand the requirements for 421-a Partial Tax Exemption.
3. I have reviewed the Application and I swear that all information set forth in the Application is true and correct and I submit the Application to induce the City of New York to grant 421-a Partial Tax Exemption.
4. The multiple dwelling will be operated as a rental. All rental units will be registered with the State of New York Division of Housing and Community Renewal as they become occupied at rents no higher than the rents approved by the Department of Housing Preservation and Development for 421-a Partial Tax Exemption and initial leases of not less than two years will be offered to tenants of such stabilized units, or a shorter term as the tenant requests, in accordance with rent regulation requirements.
5. As required pursuant to §11-245.8 of the Administrative Code of the City of New York and §6-05(d)(1) of Chapter 6, Title 28 of the Rules of the City of New York, whenever any household appliance in any dwelling unit, or any household appliance that provides heat or hot water for any dwelling unit in the multiple dwelling, is installed or replaced with a new household appliance on or after December 19, 2006, such new appliance shall be certified as Energy Star, unless either (A) an appropriately-sized Energy Star certified household appliance is not manufactured, such that movement of walls or fixtures would be necessary to create sufficient space for such appliance, and/or (B) an Energy Star certified boiler or furnace of sufficient capacity is not manufactured.

[For purposes of this paragraph, (A) "household appliance" shall mean any refrigerator, room air conditioner, dishwasher or clothes washer, within a dwelling unit in the multiple dwelling that is provided by the owner, and any boiler or furnace that provides heat or hot water for any dwelling unit in the multiple dwelling, and (B) "Energy Star" shall mean a designation from the United States Environmental Protection Agency or Department of Energy indicating that a product meets the energy efficiency standards set forth by the agency for compliance with the Energy Star program.]

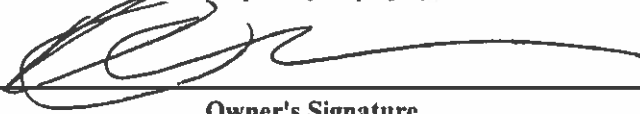
6. As required pursuant to § 421-a(8) of the Real Property Tax Law and § 6-05(d)(1)(ix) of Chapter 6, Title 28 of the Rules of the City of New York, I understand that either (a) all building service employees employed or to be employed at the multiple dwelling shall receive the applicable prevailing wage for the duration of such multiple dwelling's 421-a Partial Tax Exemption, or (b) such multiple dwelling shall contain less than 50 dwelling units, or (c) at initial occupancy of the dwelling units in such multiple dwelling, at least 50% of such dwelling units shall be affordable to individuals or families with a gross household income at or below 125% of the area median income and that any such rental units shall remain affordable for the entire period during which such multiple dwelling receives the 421-a Partial Tax Exemption.

I understand that if the City of New York finds that the Application and/or supporting documents, including but not limited to, the rent roll for the Project; proof of delivery of the Application to the local Community Board; the most recent Department of Buildings approved building plans; the survey; and contain incorrect or misleading information of a substantial nature, or have omitted information of a material nature, and in the event that such breach or omission is not cured within ninety (90) days of notice thereof, the Department of Housing Preservation and Development shall advise the Department of Finance that the 421-a Certificate of Eligibility has been revoked or that the amount of 421-a Partial Tax Exemption has been reduced, and the Department of Finance shall retroactively or prospectively withdraw or reduce 421-a Partial Tax Exemption and reinstate the amount of taxes which would have been exempted and charge interest at the rate prescribed by the New York City Administrative Code to be calculated from the day on which such taxes would have been payable but for the 421-a Partial Tax Exemption.

I understand that in order to qualify for 421-a benefits, a site must have been vacant, predominantly vacant, underutilized, or improved with a non-conforming use three years prior to the commencement of construction (i.e., "Operative Date"). The site eligibility statements and/or calculations stated in Section 7 of the Application accurately reflect the conditions at the site on the Operative Date and confirm that the real property identified in the Application meets the site eligibility requirement for 421-a benefits.

I make these statements to induce the Department of Housing Preservation and Development of the City of New York to grant a partial tax exemption pursuant to Section 421-a of the New York State Real Property Tax Law, Sections 11-245 and 11-245.1 of the Administrative Code of the City of New York, and the 421-a Rules.

I know that the Department of Housing Preservation and Development will rely on the veracity of these statements in granting 421-a Partial Tax Exemption. I certify that the above statements are true and correct under penalty of perjury.



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**Owner's Signature**

*Benjamin Ohebshalom*

---

**Owner's Name**

*Manager*

---

**Owner's Title**

*Golden Asset, L.L.C.*

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**Owner's Affiliation**

Sworn to me before this 14<sup>th</sup> day of December, 20 15

Jennifer Chin

Notary Public or Commissioner of Deeds

**JENNIFER CHIN**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**NO. 01CH6154900**  
**QUALIFIED IN KINGS COUNTY**  
**COMMISSION EXPIRES 10/23/20 17**

City of New York  
Department of Housing Preservation and Development  
Office of Development  
Division of Housing Incentives  
Tax Incentive Programs Unit  
421-a Partial Tax Exemption Program  
100 Gold Street, Room 8-C09  
New York, NY 10038

**Architect's / Engineer's Certification**  
**In Support of Preliminary Application for 421-a Partial Tax Exemption**

Re: Online Application Submission Confirmation # 52437

Docket # \_\_\_\_\_

Address(es) / Tentative Lot (s)

**Building 1: 501, East 74 Street, 1**

Borough MANHATTAN Block 01486

Lot(s) 0001.

Total Number of Buildings 1

**Stephen B. Jacobs** , being duly sworn, under penalty of perjury, deposes and says:

1. I am a Registered Architect or Professional Engineer licensed to practice by and in good standing with the New York State Department of Education. As such, I certify to the truth of the matters set forth below in connection with the above pending application (the "Application") for 421-a Partial Tax Exemption.
2. I am the architect or engineer for the above Project. The annexed Building Plans, each page of which is initialed and dated by me as of this date, are a true copy of the most recent plans approved by the New York City Department of Buildings (hereinafter, "Plans").
3. The calculations in Section 6 of the Application are a true and accurate reflection of the layout and dimensions of the Plans, and the room count and dwelling unit count as shown in Section 6 of the Application are in compliance with Section 6-01(c) of Chapter 6 of Title 28 of the Rules of the City of New York (the "421-a Rules").
4. The calculations of Aggregate Floor Area and Floor Area of Commercial Community Facilities and Accessory Use Space of the building(s) applying for 421-a Partial Tax Exemption in Section 6 of the Application are in compliance with Sections 6-01(c) and 6-06(b) of the 421-a Rules and the guidance provided in the latest edition of Department of Housing Preservation and Development's Frequently Asked Questions, dated 06/17/2004 .

The annexed survey, dated 05/20/2009, as prepared by Saeid Jalilvand, a licensed land surveyor of <sup>Montrose</sup>Survey Co. LLP (name of company, if applicable) is a true copy of the survey used to determine the eligibility of the site for 421-a Partial Tax Exemption. The site eligibility statements and/or calculations stated in Section 7 of the Application accurately represent the conditions at the site on the Operative Date (i.e. 36 months prior to the commencement of construction) and the current lot or lots indicated on the Application are eligible for 421-a Partial Tax Exemption.

5. I have read the specific sections of the 421-a Rules applicable to this Project and understand them. I have relied upon this understanding for purposes of the representations I am making in this affidavit. 5/23/2014 is the accurate date of "commencement of construction," (i.e., the date upon which excavation and construction of initial footings and foundations commenced in good faith), for the above-referenced project and is consistent with the definitions of "commencement of construction" in Section 6-01(c) and "commence" in Section 6-09(a) of the 421-a Rules, as applicable.

I make these statements to induce the Department of Housing Preservation and Development of the City of New York to grant a partial tax exemption pursuant to Section 421-a of the New York State Real Property Tax Law, Sections 11-245 and 11-245.1 of the Administrative Code of the City of New York, and the 421-a Rules.

I know that the Department of Housing Preservation and Development will rely on the veracity of these statements in granting 421-a Partial Tax Exemption. I certify that the above statements are true and correct under penalty of perjury.



I understand that if the Department of Housing Preservation and Development finds that any of the statements are incorrect, I may, in HPD's sole discretion, be prevented from certifying any future projects with HPD. Furthermore, I understand that submission of a false certification shall be deemed to be professional misconduct pursuant to Section 6509 of the Education Law.

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public or Commissioner of Deeds

[OR

Dated: DEC 11<sup>th</sup>

Seal of RA or PE]



\_\_\_\_\_  
Architect / Engineer Signature

***Stephen B. Jacobs***

\_\_\_\_\_  
Architect / Engineer Name

***Stephen B. Jacobs Group, PC***

\_\_\_\_\_  
Business Name

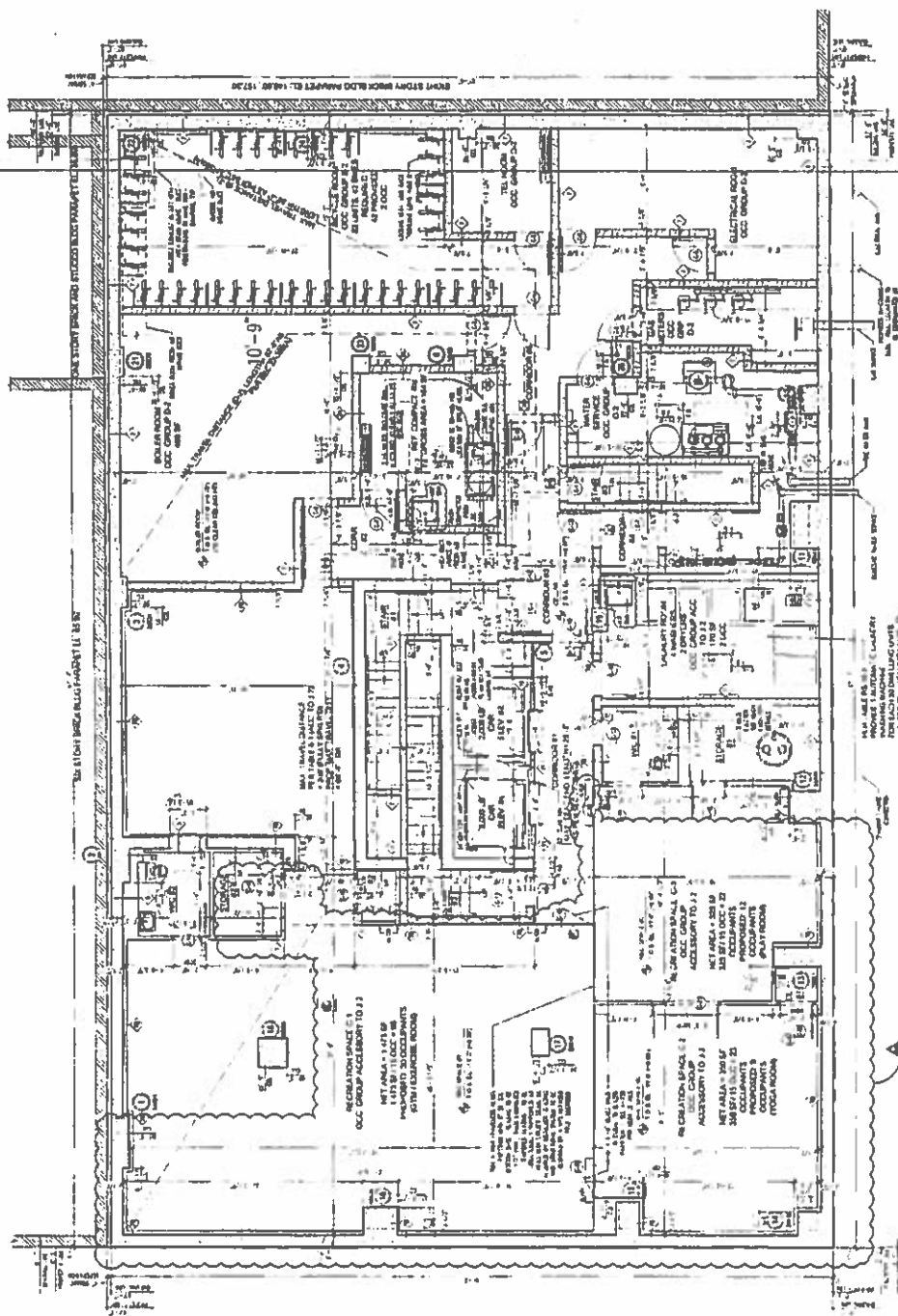
***381 Park Avenue South New York, NY***

\_\_\_\_\_  
Business Address

***(212) 421-3712***

\_\_\_\_\_  
Phone Number





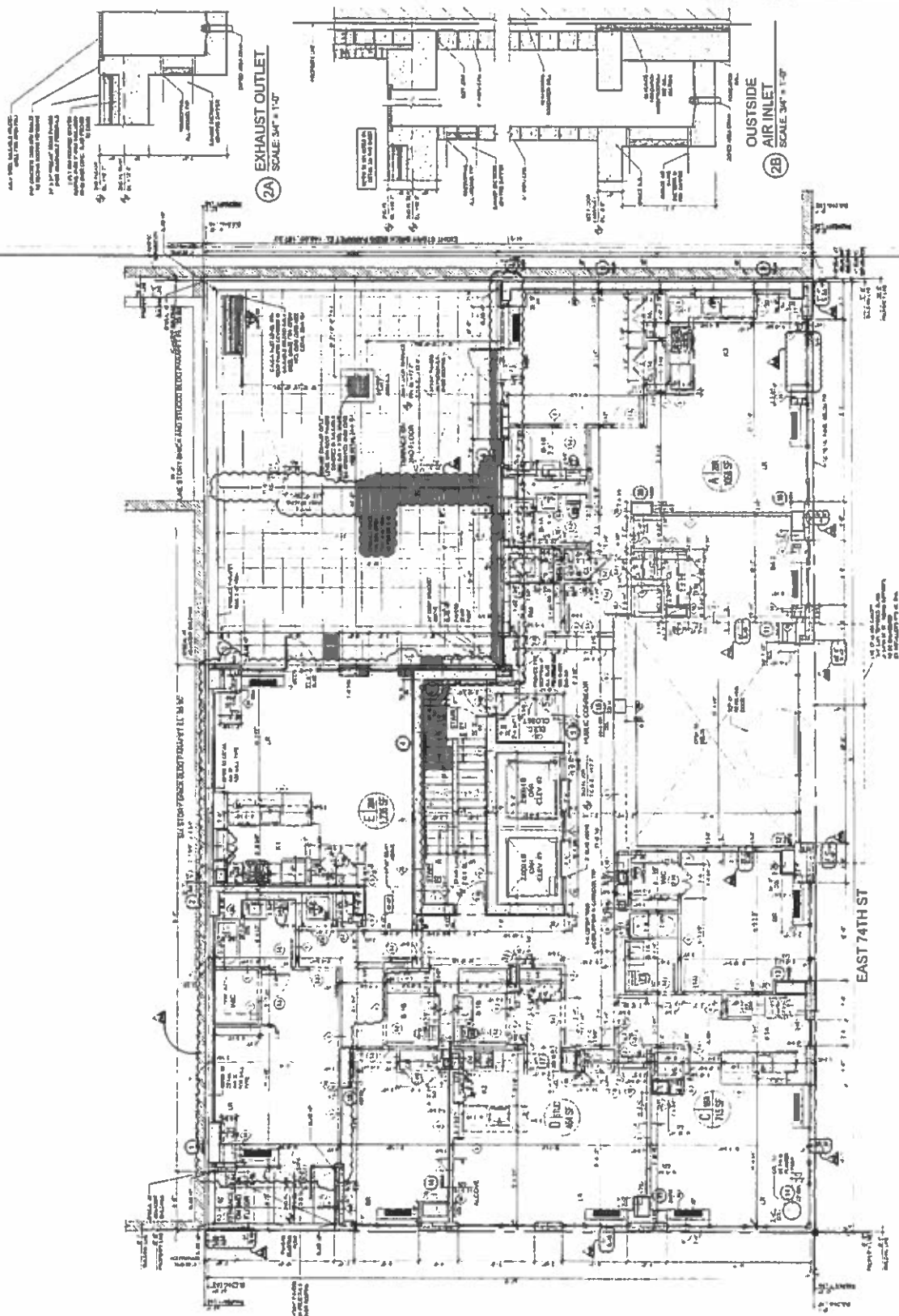
1 CELLAR FLOOR PLAN  
SCALE 1/4" = 1'-0"

CELLAR UNDER-ATMENT & FLOOR FINISH NOTES:

- THE FOLLOWING SPACES TO RECEIVE 30" MIN. THICK REINFORCED CONCRETE SLAB ON GRADE. THE REINFORCED CONCRETE SLAB SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE. THE REINFORCED CONCRETE SLAB SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE. THE REINFORCED CONCRETE SLAB SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE.
- CONCRETE IN THE FOLLOWING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE. THE REINFORCED CONCRETE SLAB SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE. THE REINFORCED CONCRETE SLAB SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BUILDING CODE.
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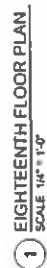
2 2ND FLOOR PLAN  
SCALE 1/4" = 1'-0"

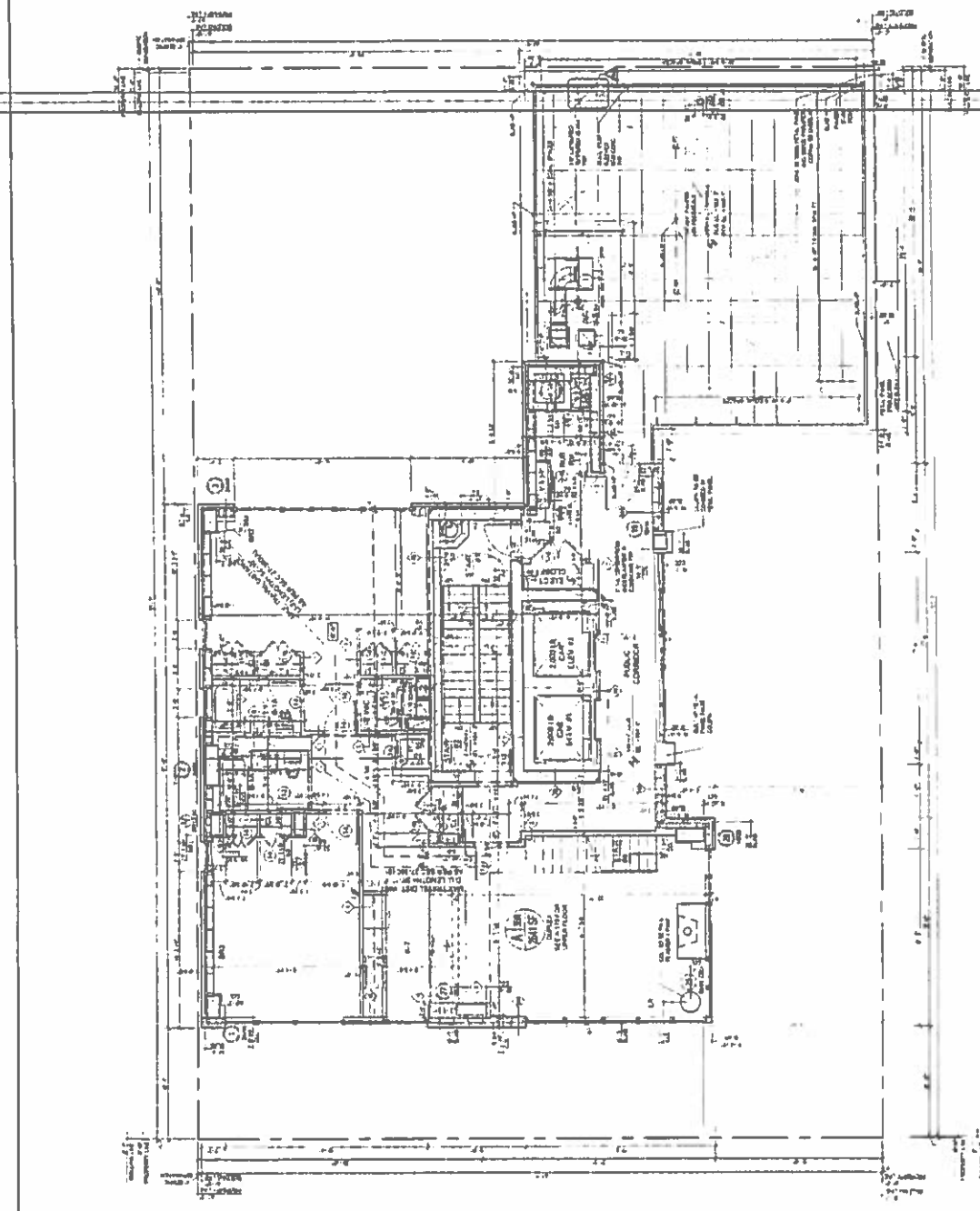












1 NINETEENTH FLOOR PLAN  
SCALE 1/4" = 1'-0"

EMERGENCY EXIT

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The Sign  
New York, N.Y.  
212-481-1111

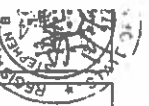
Audio Pro  
New York, N.Y.  
212-481-1111

W.S.P. (C)  
New York, N.Y.  
212-481-1111

Siderno  
New York, N.Y.  
212-481-1111

501 E.  
New York, N.Y.  
212-481-1111

19TH FL  
20TH FL  
21ST FL





2 BULKHEAD ROOF  
SCALE: 1/4" = 1'-0"



## Special Instructions Regarding Owner's Affidavit and Opinion of Counsel

### Owner's Affidavit:

If you are re-filing a 421-a application and no longer hold fee title to or the leasehold interest under a ground lease of the real property identified in the Application, you must also check box 1b in the Owner Affidavit to certify that you have been authorized to make the Application on behalf of all current owners or lessees.

### Opinion of Counsel

#### Individual Owner:

If you are not attaching a title report and currently hold fee title to or a leasehold interest under a ground lease of the real property identified in the Application, your attorney must check box 2a in the Opinion of Counsel (not box 2b). If you are not attaching a title report, are re-filing a 421-a application and no longer hold fee title to or the leasehold interest under a ground lease of the real property identified in the Application, your attorney must check box 2c in the Opinion of Counsel (not box 2d) to indicate that you held fee title to or the leasehold interest under a ground lease of the real property identified in the Application at the time of the original filing.

#### Entity Owner:

If you are not attaching a title report and currently hold fee title to or a leasehold interest under a ground lease of the real property identified in the Application, your attorney must check box 5a in the Opinion of Counsel (not box 5b). If you are not attaching a title report, are re-filing a 421-a application and no longer hold fee title to or the leasehold interest under a ground lease of the real property identified in the Application, your attorney must check box 5c in the Opinion of Counsel (not box 5d) to indicate that you held fee title to or the leasehold interest under a ground lease of the real property identified in the Application at the time of the original filing.

LAW OFFICES  
**LAWRENCE J. BERGER, P. C.**

200 MADISON AVENUE  
SUITE 1902  
NEW YORK, N.Y. 10016

(212) 532-0222  
FAX (212) 532-0224

LAWRENCE J. BERGER  
STEVEN E. RESNICK  
HARVEY I. SHIFF

Date: 12/7/2015

SETH J. GOLDBERG  
LESLIE R. PERLMAN  
JEREMY A. FRIEDMAN

Director, 421-a Programs  
The City of New York  
Department of Housing Preservation and Development  
100 Gold Street Room 8-C09  
New York, New York 10038

Re: Online Application Submission Confirmation # 52437

Docket # \_\_\_\_\_

Address(es) / Tentative Lot (s)

**Building 1: 501, East 74 Street, 1**

Borough MANHATTAN Block 01486

Lot(s) 0001.

Total Number of Buildings 1

Harvey I. Shiff, an attorney admitted to practice in the Courts of the State of New York, affirms the following to be true under the penalties of perjury pursuant to Civil Practice Law and Rules 2106:

1. I have acted as legal counsel to Golden Asset, L.L.C. ("Owner") in connection with its above referenced application for a partial real property tax exemption pursuant to Section 421-a of the Real Property Tax Law (the "Application").

2. I have reviewed all of the organizational documents of the Owner and such other certificates and instruments as necessary for the purpose of this opinion.

3. Owner is a Limited Liability Company (LLC.), which is duly formed and validly existing under the laws of the State of New York.

4. Benjamin Ohebshalom is duly authorized to execute and deliver the Application to the City of New York Department of Housing Preservation and Development on behalf of the Owner and to make the representations and warranties contained in the Application.

X 5a. Owner holds fee title to the real property identified in the Application.

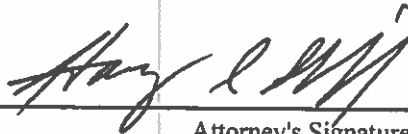
\_\_\_\_ 5b. I have attached a title report from \_\_\_\_\_, dated \_\_\_\_\_, which indicates that Owner holds fee title to the real property identified in the Application.

I make these statements to induce the Department of Housing Preservation and Development of the City of New York to grant a partial tax exemption pursuant to Section 421-a of the New York State Real Property Tax Law, Sections 11-245 and 11-245.1 of the Administrative Code of the City of New York, and the 421-a Rules.

I know that the Department of Housing Preservation and Development will rely on the veracity of these statements in granting 421-a Partial Tax Exemption. I certify that the above statements are true and correct under penalty of perjury.

I understand that if the Department of Housing Preservation and Development finds that any of the statements herein are incorrect, I may, at HPD's sole discretion, be prevented from delivering any certification or legal opinion to HPD in connection with any future project. Furthermore, I understand that any false statement may be deemed to be professional misconduct pursuant to Section 90 of the Judiciary Law.

Sincerely,



\_\_\_\_\_  
Attorney's Signature

Harvey I. Schiff

\_\_\_\_\_  
Attorney's Name