

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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June 5, 2012

Latha Thompson  
District Manager  
Manhattan Community Board 8  
505 Park Avenue, Suite 620  
New York, New York 10022


RECEIVED  
JUN - 5 2012  
BY COMMUNITY BOARD 8

Re: 421-a Application  
1113 York Avenue, Manhattan

Dear Ms. Thompson:

Enclosed please find a copy of an application for a preliminary certification by the Department of Housing Preservation and Development that the building being constructed at the above premises is eligible for a partial real estate tax exemption pursuant to Section 421-a of the Real Property Tax Law.

Very truly yours,

  
Albert Fredericks

Received: \_\_\_\_\_

Date: \_\_\_\_\_



Department of  
Housing Preservation  
& Development

NYC Department of Housing Preservation and Development

Division of Housing Incentives

## Application for Preliminary Certificate of Eligibility for Partial Tax Exemption

Mail to: NYC Department of Housing Preservation and Development 421-a Partial Tax Exemption Program, 100 Gold Street, 3rd floor, Section 3Y, 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	<b>Limited Liability Company (LLC)</b>		
Entity Name	<b>1113 York Ave. Realty Company, L.L.C.</b>		
Name	<b>Stefan Soloviev</b>		
Title	<b>Executive Vice President</b>		
House No	<b>9</b>	Street Name	<b>West 57th Street</b>
PO Box/Suite/Floor	<b>45th Floor</b>		
City	<b>New York</b>	State	<b>NY</b>
Country	<b>USA</b>	Zip code	<b>10019</b>
Phone		Fax	
Email			

### Section 1B: Entity Owner Information

Entity Type	<b>Limited Liability Company (LLC)</b>		
Entity Name	<b>60th Street Development LLC</b>		
Name	<b>Stefan Soloviev</b>		
Title	<b>Executive Vice President</b>		
House No	<b>9</b>	Street Name	<b>West 57th Street</b>
PO Box/Suite/Floor	<b>45th Floor</b>		
City	<b>New York</b>	State	<b>NY</b>
Country	<b>USA</b>	Zip code	<b>10019</b>
Phone		Fax	
Email			

RECEIVED  
421-A PARTIAL  
EXEMPTION PROGRAM  
2009-06-11 11:23

### Section 2: Filing Representative Information

Filing Representative Type	<b>Entity</b>	Company Name	<b>Kramer Levin Naftalis &amp; Frankel LLP</b>
Name of Contact Person			
Name	<b>Albert Fredericks</b>		
House No	<b>1177</b>	Street Name	<b>Avenue of the Americas</b>
PO Box/Suite/Floor			
City	<b>New York</b>	State	<b>NY</b>
Country	<b>USA</b>	Zip code	<b>10036</b>
Phone	<b>(212) 715-7835</b>	Fax	<b>(212) 715-8159</b>
Email	<b>afredericks@kramerlevin.com</b>		

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

Commencement of construction date	<b>06/12/2009</b>
Estimated Year of Construction Completion	<b>05/31/2014</b>

Borough	<b>MANHATTAN</b>	Block	<b>01455</b>	Lot	<b>0013</b>	Tax Class	<b>2</b>
Base Year AV	<b>\$25,875,000.00</b>	GEA	<b>Y</b>	REMIC	<b>N</b>	NPP	<b>N</b>
Will the project involve any subdivision or merger of current lot(s)?				Y			

Borough	<b>MANHATTAN</b>	Block	<b>01455</b>	Lot	<b>0021</b>	Tax Class	<b>4</b>
Base Year AV	<b>\$5,085,000.00</b>	GEA	<b>Y</b>	REMIC	<b>N</b>	NPP	<b>N</b>
Will the project involve any subdivision or merger of current lot(s)?				Y			

### Section 3B: Building Location Information

House Number	<b>1113</b>	Street Name	<b>York Avenue</b>	Zip Code		Tentative Lot	<b>21</b>
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### Section 3C: Other Standards for Review

Are negotiable certificates being used to qualify a project located in a 421-a geographic exclusion area?	<b>Y</b>
Please enter the date on which the 421-a Written Agreement was executed.	03/01/2001
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?	<b>N</b>
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?	<b>N</b>
Will any part of this project be used as a hotel or for single room occupancy ?	<b>N</b>
Does this project contain more than 20 dwelling units?	<b>Y</b>
Were there Class A residential units on the site one month prior to the start of construction?	<b>N</b>
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?	<b>N/A</b>

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

Is the project being constructed with Substantial Governmental Assistance?	<b>N</b>
Is the Substantial Governmental Assistance pursuant to a program for the development of affordable housing?	<b>N/A</b>
Are at least 20% of the project's units subject to affordability restrictions?	<b>N</b>
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).	<b>N/A</b>
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).	<b>N/A</b>
There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 60% of AMI.	<b>N/A</b>
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%.	<b>N/A</b>
There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 120% of AMI.	<b>N/A</b>
There is a requirement that at least 20% of the onsite units be affordable to individuals and families at or below 125% of AMI.	<b>N/A</b>

**Section 4A: Building Cost Information** Lot No 0013

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:	\$0.00
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 4A: Building Cost Information** Lot No 0021

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:	\$101,520,000.00
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:	\$122,624,915.00
Total Builder's Fee/Developer's Profit:	\$10,362,492.00
Total Professional and Other Fees:	\$18,721,000.00
Total Marketing Expenses:	\$500,000.00
Total Financing and Other Charges:	\$13,882,000.00
Total Project Cost:	\$267,610,407.00

**Section 5A: Annual Costs**

Labor (for 6 plus units only):	\$818,825.00
Contractor services:	\$294,553.00
Fuel:	\$0.00
Electricity:	\$200,000.00
Insurance:	\$156,931.00
Water and sewer:	\$64,408.00
Vacancy, management & administrative fees:	\$533,869.00
Parts and supplies:	\$39,431.00
Gas:	\$177,357.00
Real estate taxes:	\$1,011,798.00
Replacement reserve:	\$100,000.00
Other:	\$48,878.00

Total annual costs for entire project:

\$3,446,050.00

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

Parking: \$675,000.00  
 Commercial space: \$390,000.00  
 Washing and vending machines: \$0.00  
 Other income sources (a): \$0.00  
 Descriptions:

Other income sources (b): \$0.00  
 Descriptions:

Other income sources (c): \$0.00  
 Descriptions:

Total annual non-housing income: \$1,065,000.00

**Section 6A: Building Specifications**

1113 York Avenue

Tentative Lot: 21

Did any portion of the building apply for the Industrial and Commercial Incentive Program (ICIP)? 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 06/12/2009  
 DOB/BIS Job Number 110131606  
 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.
31	4,007.00	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													
30	6,931.00	0	0	2	3	0	0	0	0	0	5.00	25.50	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
29	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
28	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
27	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
26	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													

25	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
24	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
23	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
22	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
21	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
20	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
19	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
18	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
17	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
16	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
15	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
14	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
13	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
12	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
11	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
10	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
9	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
8	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
7	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													

6	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
5	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
4	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
3	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
2	6,899.00	1	3	1	1	0	0	0	0	0	6.00	23.00	0.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description													
1	6,204.00	0	0	0	0	0	0	0	0	0	0.00	0.00	1,948.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description Residential Amenities													
B	0.00	0	0	0	0	0	0	0	0	0	0.00	0.00	2,528.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description Retail													
C2	0.00	0	0	0	0	0	0	0	0	0	0.00	0.00	11,383.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description Public Parking													
C1	0.00	0	0	0	0	0	0	0	0	0	0.00	0.00	14,548.00
Non-Residential A.F.A. and Ineligible Residential A.F.A. Description Public Parking													

**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? N
4. Is the parking applying for 421-a benefits inside the subject building? N/A
5. Is the parking applying for 421-a benefits located off-street? N/A
6. Is the parking applying for 421-a benefits accessory to the commercial portion of the building? Y
7. Will this project contain parking or other spaces that will be subdivided into individual tax lots? N

**Section 6B: Project Summary**

Address: 1113 York Avenue

Tentative Lot: 21

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 A.F.A.
1	0	0	0	0	0	0	0	0	0	0.00	6,204.00	1,948.00
10	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
11	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00

12	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
13	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
14	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
15	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
16	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
17	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
18	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
19	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
2	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
20	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
21	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
22	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
23	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
24	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
25	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
26	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
27	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
28	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
29	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
3	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
30	0	0	2	3	0	0	0	0	0	25.50	6,931.00	0.00
31	0	0	0	0	0	0	0	0	0	0.00	4,007.00	0.00
4	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
5	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
6	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
7	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
8	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00



	9	1	3	1	1	0	0	0	0	0	23.00	6,899.00	0.00
	B	0	0	0	0	0	0	0	0	0	0.00	0.00	2,528.00
	C1	0	0	0	0	0	0	0	0	0	0.00	0.00	14,548.00
	C2	0	0	0	0	0	0	0	0	0	0.00	0.00	11,383.00
Totals:	34	28	84	30	31	0	0	0	0	0	669.50	210,314.00	30,407.00

# Dwelling Units: 173

# Rooms: 669.50

Commercial, etc. area in excess of 12%: 0.63%

The Commercial, etc area is in excess of 12% and therefore this Project is subject to diminution of tax benefits.

### Section 6C: Project Specifications

Total Square Feet of Finished Space	248,827.00
Total Square Feet of Balcony Space	0.00
Total Square Feet of Unfinished Space	14,359.00
Average Square Feet Per Dwelling Unit	1,038.20
Total Net SF of Dwelling Units	179,608.00

### Section 6D: Schedule of Initial Rent 1113 York Avenue

No	Apt. No	Rent
1	10A	\$ 4,100.00
2	10B	\$ 7,150.00
3	10C	\$ 4,800.00
4	10D	\$ 3,100.00
5	10E	\$ 8,400.00
6	10F	\$ 4,100.00
7	11A	\$ 4,125.00
8	11B	\$ 7,200.00
9	11C	\$ 4,850.00
10	11D	\$ 3,125.00
11	11E	\$ 8,450.00
12	11F	\$ 4,125.00
13	12A	\$ 4,150.00
14	12B	\$ 7,250.00
15	12C	\$ 4,900.00
16	12D	\$ 3,150.00
17	12E	\$ 8,500.00

18	12F	\$ 4,150.00
19	14A	\$ 4,175.00
20	14B	\$ 7,300.00
21	14C	\$ 4,950.00
22	14D	\$ 3,175.00
23	14E	\$ 8,550.00
24	14F	\$ 4,175.00
25	15A	\$ 4,200.00
26	15B	\$ 7,350.00
27	15C	\$ 5,000.00
28	15D	\$ 3,200.00
29	15E	\$ 8,600.00
30	15F	\$ 4,200.00
31	16A	\$ 4,225.00
32	16B	\$ 7,400.00
33	16C	\$ 5,050.00
34	16D	\$ 3,225.00
35	16E	\$ 8,650.00
36	16F	\$ 4,225.00
37	17A	\$ 4,250.00
38	17B	\$ 7,450.00
39	17C	\$ 5,100.00
40	17D	\$ 3,250.00
41	17E	\$ 8,700.00
42	17F	\$ 4,250.00
43	18A	\$ 4,275.00
44	18B	\$ 7,500.00
45	18C	\$ 5,150.00
46	18D	\$ 3,275.00
47	18E	\$ 8,750.00
48	18F	\$ 4,275.00
49	19A	\$ 4,300.00
50	19B	\$ 7,550.00
51	19C	\$ 5,200.00
52	19D	\$ 3,300.00
53	19E	\$ 8,800.00
54	19F	\$ 4,300.00
55	20A	\$ 4,325.00

56	20B	\$ 7,600.00
57	20C	\$ 5,250.00
58	20D	\$ 3,325.00
59	20E	\$ 8,850.00
60	20F	\$ 4,325.00
61	21A	\$ 4,350.00
62	21B	\$ 7,650.00
63	21C	\$ 5,300.00
64	21D	\$ 3,350.00
65	21E	\$ 8,900.00
66	21F	\$ 4,350.00
67	22A	\$ 4,375.00
68	22B	\$ 7,700.00
69	22C	\$ 5,350.00
70	22D	\$ 3,375.00
71	22E	\$ 8,950.00
72	22F	\$ 4,375.00
73	23A	\$ 4,400.00
74	23B	\$ 7,750.00
75	23C	\$ 5,400.00
76	23D	\$ 3,400.00
77	23E	\$ 9,000.00
78	23F	\$ 4,400.00
79	24A	\$ 4,425.00
80	24B	\$ 7,800.00
81	24C	\$ 5,450.00
82	24D	\$ 3,425.00
83	24E	\$ 9,050.00
84	24F	\$ 4,425.00
85	25A	\$ 4,450.00
86	25B	\$ 7,850.00
87	25C	\$ 5,500.00
88	25D	\$ 3,450.00
89	25E	\$ 9,100.00
90	25F	\$ 4,450.00
91	26A	\$ 4,475.00
92	26B	\$ 7,900.00
93	26C	\$ 5,550.00

94	26D	\$ 3,475.00
95	26E	\$ 9,150.00
96	26F	\$ 4,475.00
97	27A	\$ 4,500.00
98	27B	\$ 7,950.00
99	27C	\$ 5,600.00
100	27D	\$ 3,500.00
101	27E	\$ 9,200.00
102	27F	\$ 4,500.00
103	28A	\$ 4,525.00
104	28B	\$ 8,000.00
105	28C	\$ 5,650.00
106	28D	\$ 3,525.00
107	28E	\$ 9,250.00
108	28F	\$ 4,525.00
109	29A	\$ 4,550.00
110	29B	\$ 8,050.00
111	29C	\$ 5,700.00
112	29D	\$ 3,550.00
113	29E	\$ 9,300.00
114	29F	\$ 4,550.00
115	2A	\$ 3,900.00
116	2B	\$ 6,800.00
117	2C	\$ 4,400.00
118	2D	\$ 2,900.00
119	2E	\$ 8,000.00
120	2F	\$ 3,900.00
121	30A	\$ 4,575.00
122	30B	\$ 8,100.00
123	30C	\$ 5,750.00
124	30D	\$ 3,575.00
125	30E	\$ 9,350.00
126	30F	\$ 4,575.00
127	31A	\$ 17,000.00
128	31B	\$ 16,000.00
129	31C	\$ 12,000.00
130	31D	\$ 13,000.00
131	31E	\$ 15,000.00

132	3A	\$ 3,925.00
133	3B	\$ 6,825.00
134	3C	\$ 4,450.00
135	3D	\$ 2,925.00
136	3E	\$ 8,050.00
137	3F	\$ 3,925.00
138	4A	\$ 3,950.00
139	4B	\$ 6,850.00
140	4C	\$ 4,500.00
141	4D	\$ 2,950.00
142	4E	\$ 8,100.00
143	4F	\$ 3,950.00
144	5A	\$ 3,975.00
145	5B	\$ 6,900.00
146	5C	\$ 4,550.00
147	5D	\$ 2,975.00
148	5E	\$ 8,150.00
149	5F	\$ 3,975.00
150	6A	\$ 4,000.00
151	6B	\$ 6,950.00
152	6C	\$ 4,600.00
153	6D	\$ 3,000.00
154	6E	\$ 8,200.00
155	6F	\$ 4,000.00
156	7A	\$ 4,025.00
157	7B	\$ 7,000.00
158	7C	\$ 4,650.00
159	7D	\$ 3,025.00
160	7E	\$ 8,250.00
161	7F	\$ 4,025.00
162	8A	\$ 4,050.00
163	8B	\$ 7,050.00
164	8C	\$ 4,700.00
165	8D	\$ 3,050.00
166	8E	\$ 8,300.00
167	8F	\$ 4,050.00
168	9A	\$ 4,075.00
169	9B	\$ 7,100.00

170	9C	\$ 4,750.00
171	9D	\$ 3,075.00
172	9E	\$ 8,350.00
173	9F	\$ 4,075.00

Your submitted summary of proposed initial rents reflecting an average per room per month of **\$1,484.58** 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 **\$993,925.00**.

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 0021**

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:	6/12/2009
Operative Date:	06/13/2006
Total land area of lot (Square Feet):	22,527.00
Square footage of site:	26,956.00

**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: **\$1,050,000.00**

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): **200.82** Width of footprint of improvement (sq ft): **112.16**  
 Total area of footprint of improvement on lot (sq ft): **22,523.97** Total land area of lot (sq ft): **22,527.00**

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? **4**

**Test 7: The questions below will test your site's eligibility based on underutilized former non-residential building.**

Did work commence on or after May 12, 2000? **Y**  
 Is lot located in the Borough of Manhattan on either side or south of 110th Street? **Y**  
 Is lot located in the outer boroughs or in Manhattan north of 110th Street? **N**

**Test 8: The questions below will test your site's eligibility based on underutilized former non-residential building in Manhattan on either side or south of 110th Street (assessed valuation test).**

Actual assessed valuation of building in the Fiscal Year in which the Operative Date falls : **\$1,050,000.00**  
 Actual assessed valuation of land in the Fiscal Year in which the Operative Date falls : **\$2,250,000.00**  
 50% of the assessed valuation of the land on the Operative Date is: **\$1,125,000.00**

This site has passed this 421-a eligibility test.

**Section 7: Site Eligibility Lot No 0013**

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: **6/12/2009**  
 Operative Date: **06/13/2006**  
 Total land area of lot (Square Feet): **4,429.00**  
 Square footage of site: **26,956.00**

**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 : **\$27,315,000.00**

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? Y

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

This site has passed this 421-a eligibility test. When you complete this electronic application, please submit a survey and an RP-604 to HPD in addition to other required documentation.

**Section 7: Site Eligibility Summary**

Lot	Square Feet	421-a Eligible
0021	22527	Pass
0013	4429	Pass

Because the Project meets the requirements of §421-a(12), the Project is exempt from 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 **Alan Goldstein**  
 Business Name **Goldstein, Hill & West Architects, LLP**  
 House No **11**  
 Street **Broadway**  
 City **New York**  
 State **NY**  
 Phone Number **(212) 213-8007**

Opinion of Counsel to be provided by:

Name **Albert Fredericks**  
 Business Name **Kramer Levin Naftalis & Frankel LLP**  
 House No **1177**  
 Street **Avenue of the Americas**  
 City **New York**  
 State **NY**  
 Phone Number **(212) 715-7835**

**Checklist**



RP604 Form

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.**

**JEROME HAIMS REALTY, INC.**  
**REAL ESTATE APPRAISERS & CONSULTANTS**  
**630 THIRD AVENUE, NEW YORK, NY 10017**  
**212-687-0154, FAX 212-986-4017**

April 26, 2012

1113 York Avenue Realty Company, LLC  
c/o Solow Realty & Development Company, LLC  
9 West 57<sup>th</sup> Street, 45<sup>th</sup> Floor  
New York, New York 10019

Re: 1113 York Avenue  
New York, New York  
Block 1455, Lot 21 and Part of Lot 13

Dear Sirs:

As you requested, we have inspected and appraised the above referenced property. The purpose of this appraisal is to provide our client with an opinion of the retrospective market value of the fee simple estate in the subject real estate. The intended use of this appraisal is for submission with a 421-a Tax Exemption Program application. In accordance with the intended use of the appraisal, we have valued the subject property as a vacant parcel of land. It is our understanding that the subject site was actually a vacant land parcel as of the retrospective date of value. The intended user of the appraisal report is our client, 1113 York Avenue Realty Company, LLC, c/o Solow Realty & Development Company, LLC. The retrospective date of value is June 15, 2009. The date of our property inspection is April 9, 2012. The date of the appraisal report is April 26, 2012.

The subject property is located in the Upper East Side section of the borough of Manhattan, city, county and state of New York. More specifically, the property is located on the entire west blockfront of York Avenue, between East 60<sup>th</sup> and East 61<sup>st</sup> Streets. The subject site is irregular in shape and has 200.83 feet of frontage on the west side of York Avenue, 140 feet of frontage on the north side of East 60<sup>th</sup> Street, and 112.17 feet of frontage on the south side of East 61<sup>st</sup> Street. The subject site is comprised of Lot 21, which contains 22,527 square feet of lot area, and a 4,429 square foot portion of Lot 13. Therefore, the subject site has a total lot area of 26,956 square feet.

The subject site is located within two zoning districts. The portion of the subject site situated within 100 feet of west of York Avenue is zoned C4-7, which has a maximum floor area ratio (FAR) of 10.0 for both residential and commercial uses. The portion of the subject site situated beyond 100 feet west of York Avenue is zoned C6-3, which has a permitted residential FAR ranging from 0.99 to 7.52 and a maximum commercial FAR of 6.0. The subject site is part of a larger zoning lot that includes Lots 21 and Lot 13. According to the October 2, 2007, Second Amended and Restated Second Modification to Declaration which encumbers the entire zoning lot, the zoning lot "shall not contain more than 530,198 square feet of floor area." We note that this permitted developable area assumes a 2.0 FAR Inclusionary Housing bonus for the portion of the zoning lot that is zoned C4-7.

1113 York Avenue Realty Company, LLC  
c/o Solow Realty & Development Company, LLC  
Re: 1113 York Avenue  
New York, New York

2.

The existing building located on Lot 13 utilizes 272,087 zoning square feet of the zoning lot's 530,198 square feet of developable area. Therefore, the zoning lot's unused 258,111 square feet of developable area represents the subject property's maximum developable area.

The appraisal and the report are in complete compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) as promulgated by the Appraisal Foundation and the laws of the state of New York.

We refer the reader to the "Scope of Work" section of the appraisal report, which includes, but is not limited to: 1) the extent to which the property is identified, 2) the extent to which the tangible property is inspected, 3) the type and extent of data researched, and 4) the type and extent of analyses applied to arrive at opinions or conclusions.

Based on the analysis and conclusions presented herein, our opinion of the retrospective market value of 1113 York Avenue (as a vacant parcel of land), as of June 15, 2009, is:

**\$101,520,000**

**[ONE HUNDRED ONE MILLION FIVE HUNDRED TWENTY THOUSAND DOLLARS]**

We are pleased to provide you with this self-contained appraisal report and will be available to respond to any questions pertaining to the data and analysis contained herein.

Very truly yours,

JEROME HAIMS REALTY, INC.



Eric P. Haims, MAI, MRICS, CCRA  
Senior Vice President  
Certified New York State  
General Real Estate Appraiser  
Certificate No. 46000045128



Yamil N. Arocho  
Vice President  
Certified New York State  
General Real Estate Appraiser  
Certificate No. 46000045109

YA

JEROME HAIMS REALTY, INC.

3.



Source: Bing.com/maps



**Views of 1113 York Avenue  
(Photograph taken on April 9, 2012)**



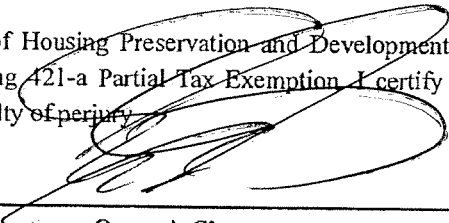
6. As required pursuant to § 421-a(8) of the Real Property Tax Law and § 6-05(d)(1)(ix) of Chapter 6, Title 28 of the Rules of the City of New York, I understand that either (a) all building service employees employed or to be employed at the multiple dwelling shall receive the applicable prevailing 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 the RP-604 approved and executed by the Department of Finance 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

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.



---

**Owner's Signature**

*Stefan Soloviev*

---

**Owner's Name**

*Executive Vice President*

---

**Owner's Title**

*1113 York Ave. Realty Company, L.L.C.*

Owner's Affiliation

Sworn to me before this 9<sup>th</sup> day of May, 2012

Amalia C. De Lucia

Notary Public or Commissioner of Deeds

AMALIA C. DELUCIA  
Notary Public, State of New York  
No. 01DE6032868  
Qualified in Queens County  
Commission Expires November 8, 2013

State of New York )

) ss.:  
County of New York )

Stefan Soloviev, being duly sworn, under penalty of perjury, deposes and says:

1. I, Stefan Soloviev, Executive Vice President, 60th Street Development LLC, 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.]



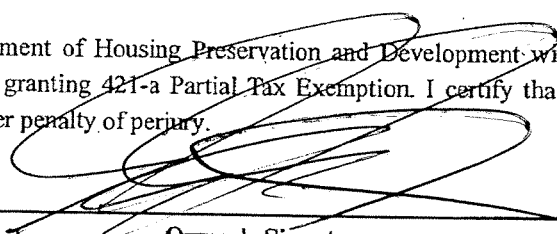
6. As required pursuant to § 421-a(8) of the Real Property Tax Law and § 6-05(d)(1)(ix) of Chapter 6, Title 28 of the Rules of the City of New York, I understand that either (a) all building service employees employed or to be employed at the multiple dwelling shall receive the applicable prevailing 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 the RP-604 approved and executed by the Department of Finance 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

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.

  
\_\_\_\_\_  
**Owner's Signature**

*Stefan Soloviev*

\_\_\_\_\_  
**Owner's Name**

*Executive Vice President*

\_\_\_\_\_  
**Owner's Title**

*60th Street Development LLC*

Owner's Affiliation

Sworn to me before this 9<sup>th</sup> day of May, 2012

Amalia C. Delucia  
Notary Public or Commissioner of Deeds

AMALIA C. DELUCIA  
Notary Public, State of New York  
No. 01DE6032868  
Qualified in Queens County  
Commission Expires November 8, 2013

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, 3-Y4  
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 # 47744

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

Address(es) / Tentative Lot (s)

**Building 1: 1113, York Avenue, 21**

Borough MANHATTAN Block 01455

Lot(s) 0021, 0013.

Total Number of Buildings 1

**Alan Goldstein**, 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 6/17/04.

Montrose Surveying Co., LLP

The annexed survey, dated 4/12/12, as prepared by Robert Castillo, a licensed land surveyor of \_\_\_\_\_ (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.

The attached RP-604 executed and approved by the New York City Department of Finance Property Division - Survey Unit, dated May 29, 20 12, accurately reflects the Project's tentative lot changes to the current New York City Tax Map.

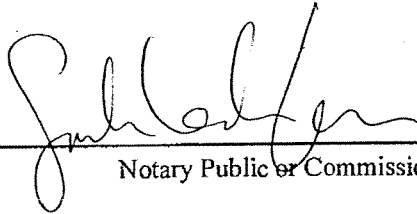
5. I have read the specific sections of the 421-a Rules applicable to this Project and understand them. I have relied upon this understanding for purposes of the representations I am making in this affidavit. 6/12/2009 is the accurate date of "commencement of construction," (i.e., the date upon which 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 30<sup>th</sup> day of May, 2012



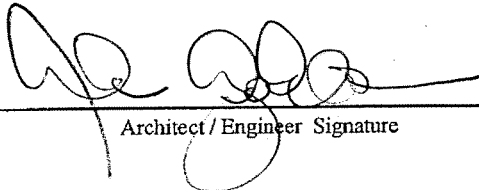
SARAH LADNER GOMEZ  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01LA6123251  
Qualified in Kings County  
Expires 05/26/13

Notary Public or Commissioner of Deeds

[OR

Dated: \_\_\_\_\_, 20\_\_

Seal of RA or PE]



Architect / Engineer Signature

**Alan Goldstein**

Architect / Engineer Name

**Goldstein, Hill & West Architects, LLP**

Business Name

**11 Broadway New York, NY**

Business Address

**(212) 213-8007**

Phone Number

Date: 5/4/2012

Director, 421-a Programs  
The City of New York  
Department of Housing Preservation and Development  
100 Gold Street Room 3-Y4  
New York, New York 10038

Re: Online Application Submission Confirmation # 47744

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

Address(es) / Tentative Lot (s)

**Building 1: 1113, York Avenue, 21**

Borough MANHATTAN Block 01455

Lot(s) 0021, 0013.

Total Number of Buildings 1

**Albert Fredericks**, 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 **1113 York Ave. Realty Company, 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. **Stefan Soloviev** 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.

**KRAMER LEVIN NAFTALIS & FRANKEL LLP**

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

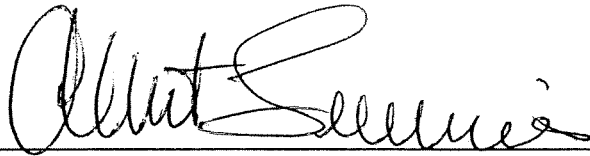
\_\_\_\_\_ 5b. I have attached a title report from \_\_\_\_\_, dated \_\_\_\_\_, which indicates that Owner holds fee title to the real property identified in the Application.

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

*Albert Fredericks*

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

Date: 5/4/2012

Director, 421-a Programs  
The City of New York  
Department of Housing Preservation and Development  
100 Gold Street Room 3-Y4  
New York, New York 10038

Re: Online Application Submission Confirmation # **47744**

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

Address(es) / Tentative Lot (s)

**Building 1: 1113, York Avenue, 21**

Borough **MANHATTAN** Block **01455**

Lot(s) **0021, 0013.**

Total Number of Buildings **1**

**Albert Fredericks**, 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 **60th Street Development LLC** ("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.



**KRAMER LEVIN NAFTALIS & FRANKEL LLP**

4. Stefan Soloviev 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.

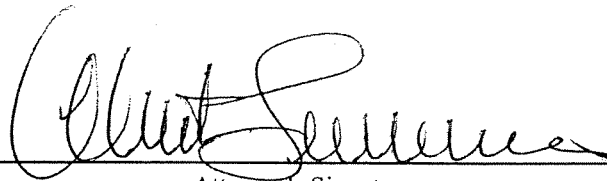
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Sincerely,

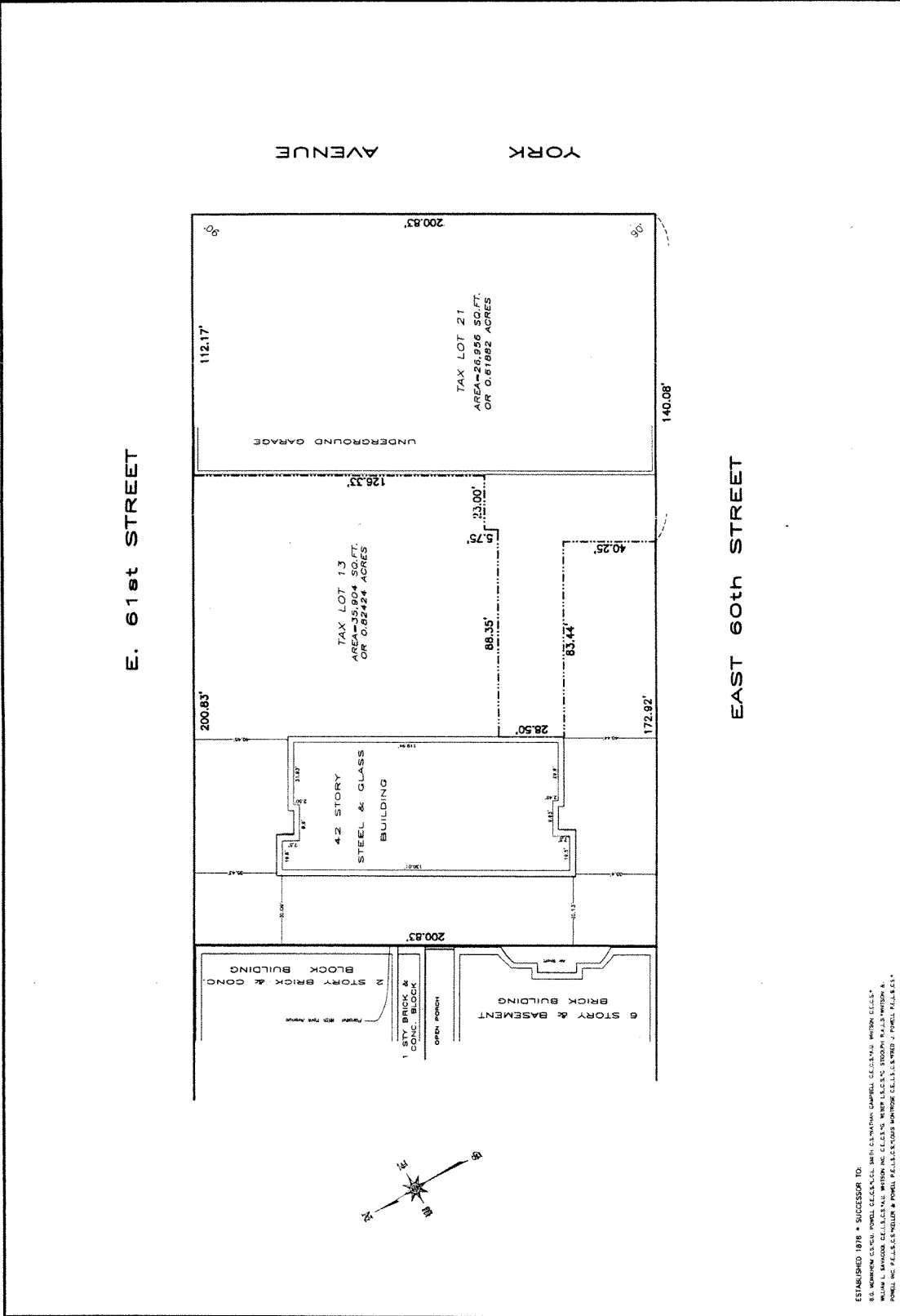


\_\_\_\_\_  
Attorney's Signature

*Albert Fredericks*

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

SURVEY NO. 54667-6		54667-6.DWG
REV	DATE	DESCRIPTION
—	4-12-12	SUBDIVISION DIAGRAM
A		REVISED

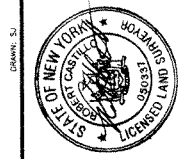


**SPECIAL NOTE:**  
THIS SURVEY IS NOT A TITLE SURVEY AND IS NOT TO BE USED FOR TITLE PURPOSES. ALL PHYSICAL FACTS ARE NOT SHOWN.

**NOTE:**  
ALL EAST/WEST LOT LINES ARE PARALLEL WITH EAST 60TH STREET AND NORTH/SOUTH LINES PARALLEL WITH YORK AVENUE.

COUNTY: NEW YORK  
TAX BLOCK 1453  
TAX LOT 13 & 21

SCALE: 1" = 30'  
LAND BLOCK NO.  
STANDARD U.S.



DESIGNED BY: [Signature]  
DRAWN BY: [Signature]

**MONTROSE**  
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CITY & LAND SURVEYORS  
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WILLIAM L. MONTROSE & CO., PIONEER SURVEYORS



# APPLICATION FOR MERGERS OR APPORTIONMENTS

## SECTION A: PROPERTY INFORMATION

Borough: Manhattan Block: 1455 Present Lot(s): 21 / 13

Merger  Apportionment Number of Lots Requested 2 DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

New Lot(s) Usage (check one):  Residential Building Gross Sq/Ft: \_\_\_\_\_  Commercial Building Gross Sq/Ft: \_\_\_\_\_  Mix (Residential & Commercial) Building Gross Sq/Ft: 280,000

Property 1. Owner's Name: 1113 York Ave. Realty Company, L.L.C. / 160th Street Development LLC  
LAST NAME FIRST NAME

Property 2. Address: 1113 York Avenue New York New York 10022  
NUMBER AND STREET CITY STATE ZIP CODE

## SECTION B: APPLICANT INFORMATION

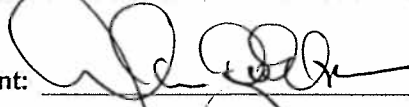
1. Architect/Engineer/Applicant's Name: Goldstein, Alan  
LAST NAME FIRST NAME

2. Address: 11 Broadway New York New York 10004  
NUMBER AND STREET CITY STATE ZIP CODE

3. Telephone Number: 212-213-8007 4. Email Address: agoldstein@ghwarchitects.com

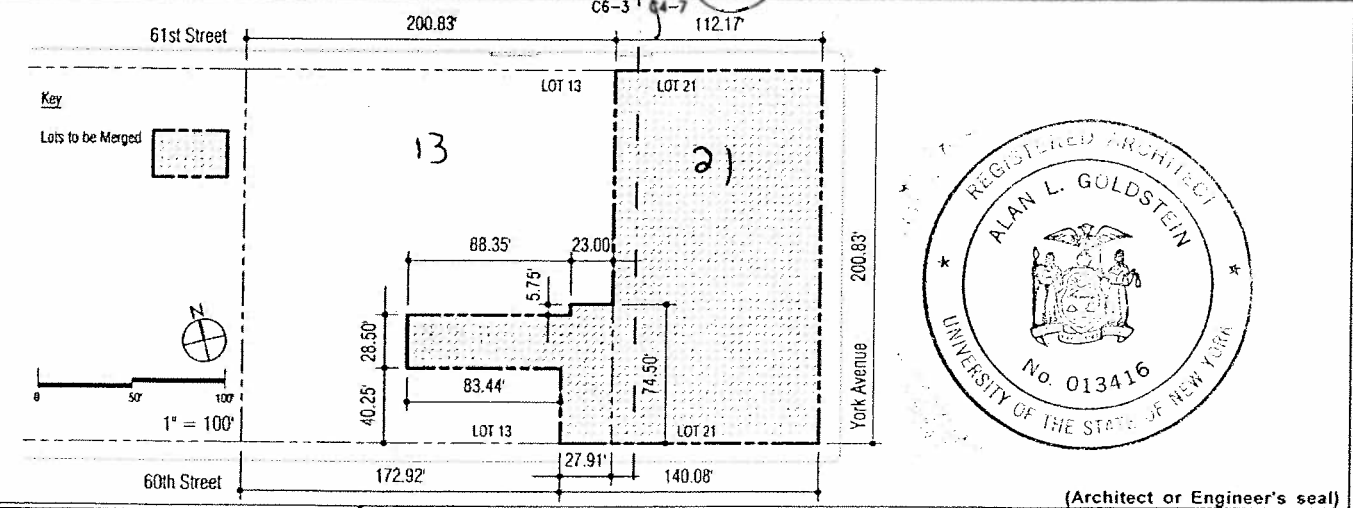
## SECTION C: CERTIFICATION

The applicant hereby certifies that, in making this application for merger/apportionment, s/he is the owner, or acting under the direction of the owner.

Signature of Architect/ Engineer/Applicant:  Date: 4/25/12

TAX MAP CHANGE WILL NOT BE MADE UNTIL PRESENTATION OF REQUIRED DOCUMENTS (see reverse for the required documents)

DRAW SKETCH TO SCALE 1" = 50' IF POSSIBLE INDICATE NORTH ARROW



Tax Map Office Staff: Arbab Calay Date: 5/29/12

Lot(s) Dropped: \_\_\_\_\_ Lot(s) Affected: 13, 21 New Lot(s): 13, 21

**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-U7  
New York, NY 10038


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

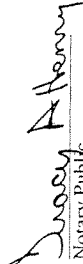
BOOKET NUMBER LIH #91 DATE OF ISSUANCE OF THIS CERTIFICATE August 29, 2002  
 SITE OF AFFORDABLE UNITS 900 Ogden Avenue, Bronx DATE OF EXECUTION OF WRITTEN AGREEMENT March 1, 2001  
 BLOCK(S) 2511 LOT(S) 13 DATE OF CERTIFICATE OF COMPLETION OF AFFORDABLE UNITS July 16, 2002  
 DEVELOPER Atlantic Development Group, LLC NUMBER OF AFFORDABLE UNITS CREATED 60 (Low Income Units)  
 DEVELOPER'S ADDRESS 561 Seventh Avenue, 20<sup>th</sup> Fl, New York, NY 10018 NUMBER OF MARKET RATE UNITS ELIGIBLE\* 300 (rental) OR 300(coop\condo)  
 \*If average size of units exceeds 1200 s.f., see Section 6-08(b)(6) of the Rules  
 BENEFIT TRANSFEROR Ogden Avenue Associates, L.P.  
c/o Atlantic Development Group, LLC BENEFIT TRANSFEREE 60<sup>th</sup> Street Development LLC


*Whereas, the Department of Housing Preservation and Development has entered into a written agreement with the above-referenced Developer to create affordable housing in accordance with Section 6-08 of the Rules and Regulations governing Tax Exemptions pursuant to Section 421-a of the Real Property Tax Law, and that a Certificate of Completion of Affordable Units has been issued to said Developer:*

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

*This certificate is transferable, and 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 named Benefit Transferee. Unused Certificates should be returned to HPD for voiding and reissuance. The transfer of this Certificate to the Benefit Transferee is accomplished by the Benefit Transferor endorsing and notarizing this certificate in the place indicated below. After the initial endorsement and notarization by the Benefit Transferor, 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.*

BENEFIT TRANSFEROR  
Ogden Avenue Associates, L.P.  
By: 

Sworn to before me this  
3 day of Sept, 2002  
  
Notary Public

Tax Incentives Seal  
  
Lisa S.J. Yee  
Director, Tax Incentive Programs

**AUG 29 2002**

**TRACYA. HENRY**  
Notary Public, State of New York  
No. 01HE6074672  
Qualified in Kings County  
Commission Expires May 20, 2006

