

**74232**

DATE: January 28, 2018

TO: Board of Acquisition and Contract

FROM: Norma V. Drummond  
Commissioner of Planning

Gary A. Friedman  
Director of Real Estate

SUBJECT: Resolution authorizing the County of Westchester to enter into any and all agreements necessary to purchase and subsequently convey approximately 0.11 +/- acres of real property located at 5 Hudson Street in the City of Yonkers to maintain and preserve 42 affordable rental units that will affirmatively further fair housing ("AFFH")

On August 6, 2018 the Westchester County Board of Legislators approved Act No. 122-2018 authorizing the County to purchase approximately 0.11 +/- acres of real property located at 5 Hudson Street in the City of Yonkers (the "Property") from the current owner(s) of record in an amount not to exceed \$787,500 and to then convey the Property to Westhab, Inc., its successors or assigns (the "Developer") for one dollar (\$1.00) to renovate the existing four-story residential building in order to maintain and preserve 42 rental units (with a total of 45 beds) that will affirmatively further fair housing ("AFFH", collectively the "Affordable AFFH Units") for individuals with special needs or formerly homeless individuals.

Once the Developer acquires the title, the Developer will make all necessary repairs to the property, including, but not limited to: replacing the existing heating system with a modern, fuel-efficient gas-fired boiler, upgrading kitchens and bathroom, replacing flooring in the hallways and apartments, installing new roofing, water conservation fixtures, upgrades to the fire system, new smoke detectors and LED lighting with sensors and timers.

Your Honorable Board's approval is now requested to authorize the County to enter into any and all agreements necessary to purchase the Property from the current owner(s) of record, in an amount not to exceed \$787,500 which will be funded from Capital Project BPL30-New Homes Land Acquisition II, and to grant and/or accept any and all property rights in connection therewith for the purpose of maintaining and preserving the 42 Affordable AFFH Units (with a total of 45 beds) for eligible individuals who have special needs or are formerly homeless.

Upon acquisition of the Property, and prior to conveyance, the County will file a Declaration of Restrictive Covenants against the Property requiring that the Affordable AFFH Units be affordable to eligible households with incomes at or below 50% of the Westchester County Area Median Income ("AMI") for a period of affordability of not less than 64 years.

The goal and objective of this agreement is to provide affordable housing units in Westchester County to low and moderate income households. Department of Planning staff will monitor the compliance with the ongoing affordable housing requirements.

NVD/cp/di  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/20/2020 - LISA MRIJAJ, SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE DIRECTOR OF REAL ESTATE, BE IT HEREBY

RESOLVED: that the County of Westchester is hereby authorized to enter into any and all agreements necessary to purchase approximately 0.11 +/- acres of real property located at 5 Hudson Street, City of Yonkers (the "Property") from the current owner(s) of record for a total not to exceed amount of SEVEN HUNDRED EIGHTY SEVEN THOUSAND FIVE HUNDRED (\$787,500.00) DOLLARS and to convey the Property to Westhab, Inc. Inc., its successors or assigns (the "Developer") for one (\$1.00) dollar and to grant and/or accept any and all property rights in connection therewith; and be it further

RESOLVED: that the purchase and conveyance of the Property shall be by such deeds as shall be approved by the County Attorney; and be it further

RESOLVED: that following the purchase, the County will file a Declaration of Restrictive Covenants against the Property requiring that 42 units will be rental units that affirmatively further fair housing ("AFFH", collectively the "Affordable AFFH Units") that will be marketed and leased to eligible formerly homeless individuals or individuals with special needs with incomes at or below 50% of the Westchester County area median income that will remain affordable for a period of not less than 64 years; and be it further

RESOLVED: that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and to take any actions necessary to effectuate the purposes hereof.

Account to be  
Charged/Credited

| Fund | Dept | Major Program,<br>Program & Phase<br>Or Unit | Object/<br>Sub Object | <del>Trust</del> Bond<br><del>Account</del> Act# | Dollars   |
|------|------|--|-----------------------|--|-----------|
| 318  | 19   | BPL30-20-R<br><del>Bond Act 123-2018</del>   | 6050                  | <del>N/A</del> #123-<br><del>2018</del>          | \$787,500 |

Budget Funding Year(s) FY 2018 Start Date: Upon Execution End Date: Five years from execution

Funding Source Tax Dollars \$787,500  
State Aid \_\_\_\_\_  
**\$787,500**  
(must match resolution) Federal Aid \_\_\_\_\_  
Other \_\_\_\_\_