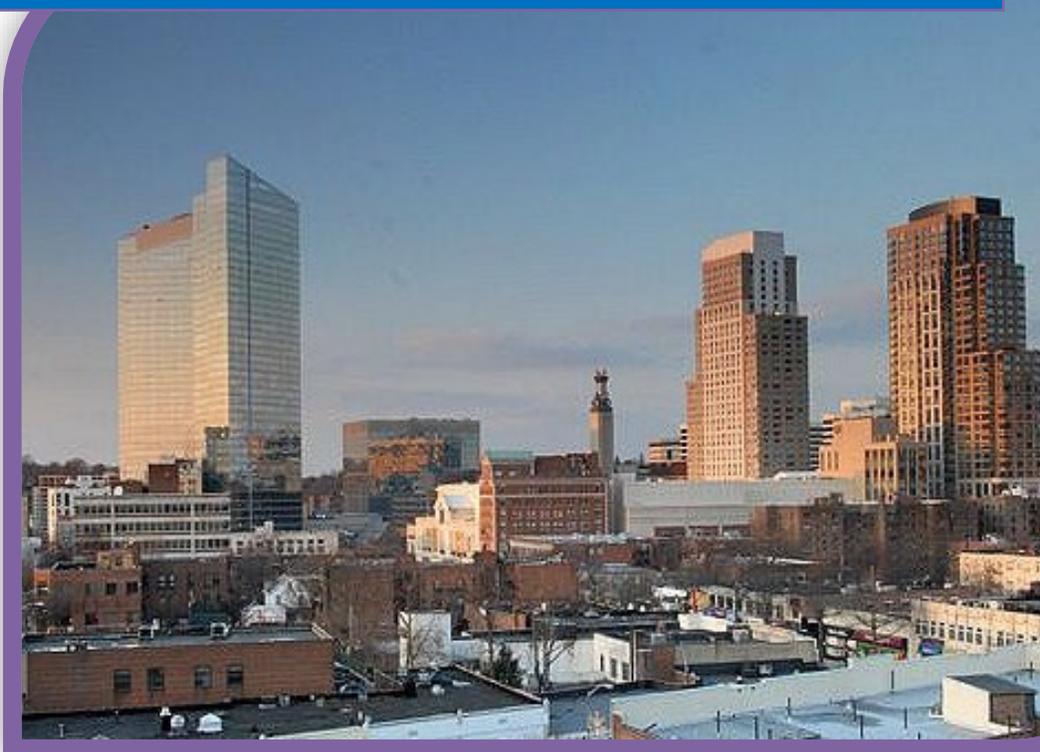


White Plains Urban Renewal Agency

2022-2023 Annual Reports



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1. Introduction

The following Annual Report for the White Plains Urban Renewal Agency (the “Agency”) has been completed pursuant to the Public Authorities Reform Act (PARA) of 2009. The White Plains Urban Renewal Agency constitutes a “local authority”; therefore, this annual report follows the reporting requirements for local authorities, pursuant to Chapter 506 of the laws of 2009. This report summarizes the activities of the Agency for the Fiscal Years of 2022 to 2023.

The PARA of 2009 requires local authorities to submit annually to the Authorities Budget Office, a complete and detailed report or reports setting forth the following:

- Operations and accomplishments
- Financial reports
- Mission statement and performance measurements
- Schedule of debt issuance
- Compensation schedule
- Projects undertaken/underway
- Property acquisitions and dispositions in excess of \$15,000
- Code of ethics
- Assessment of internal control structure and procedures
- Legislation that forms statutory basis for Agency
- Agency and board structure description
- By-laws
- Material changes in operations and programs
- Four-year financial plan
- Board performance evaluations
- Description of total assets
- Pending litigation

The following report provides detailed information about these 17 reporting requirements in the order that they are listed in the 2009 PARA.

2. Operations and Accomplishments

A. Administrative and Project Accomplishments

The Agency’s administrative activities and project accomplishments are summarized in the Table 1 below. Copies of Resolutions can be found in Appendix A.

Table 1: Administrative and Project Accomplishments		
Date	Resolution #	Action Taken
August 10, 2022	01-2022	RESOLUTION ADOPTING THE URBAN RENEWAL AGENCY ANNUAL ADMINISTRATIVE BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023
	02-2022	RESOLUTION AMENDING THE ADOPTED COMBINED FEDERAL "INCEPTION-TO-DATE" BUDGET
	03-2022	RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY REAFFIRMING THE MISSION STATEMENT AND PERFORMANCE MEASURES AND APPROVING THE ANNUAL REPORT
	04-2022	RESOLUTION ESTABLISHING A BUDGET FOR THE EAST POST ROAD LAND SALES LOCATED IN THE PHASE II EAST POST ROAD/SOUTH LEXINGTON AVENUE URBAN RENEWAL PROJECT, PROJECT NO. WPUR-12
	05-2022	RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023
	06-2022	A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MARCH 7, 2023 TO INSTALL PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT
November 15, 2022	07-2022	RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN OMNIBUS TERMINATION AGREEMENT RELATING TO THE PREMISES PREVIOUSLY KNOWN AS THE WHITE PLAINS MALL AT 200 HAMILTON AVENUE, AND NOW KNOWN AS UNIT 1 AND UNIT 2 OF THE HAMILTON GREEN CONDOMINIUM LOCATED AT 200 AND 250 HAMILTON AVENUE, WHITE PLAINS, NY
March 14, 2023	01-2023	A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MAY 5, 2023 TO INSTALL THE REMAINING PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT
	02-2023	RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024

More information including detailed summaries of the Agency’s operations and milestones with respect to specific urban renewal projects is provided in Section 8 of this Annual Report.

3. Financial Reports

A. Audited Financials

The Agency audited financials in accordance with Generally-Accepted Accounting Practices (“GAAP”) per section 2 (10) of the NY State Finance Law are prepared as part of the City’s (Certified Accounting Financial Reports (“CAFR”) and are posted on the City’s website when available.

B. Grants and Subsidy Programs

The Agency receives no direct grant or subsidy program funds. Funding to pay Community Development Block Grant employees is received by the City of White Plains and all allocations of funds are as authorized by the City of White Plains Common Council.

C. Operating and Financial Risks

The Agency has not identified any operating or financial risks.

D. Current Bond Ratings

On March 18, 2021, the Agency approved a Resolution (08-2021) to finance certain urban renewal projects described in the Urban Renewal Plan for the East Post Road Urban Renewal Area, including the acquisition of various parcels of land located along East Post Road.

E. Long-term Liabilities

Liabilities

The Agency has no long term liabilities.

Leases

The Agency leases three of its properties - Bronx Street Lot and Franklin-Windsor Lot to the City for municipal parking, and leases the land on which the City Center Municipal Parking Garage is located to the City of White Plains and LC White Plains, LLC as tenants in common which own the City Center Municipal Parking Garage.

Employee Benefit Plans

The Agency has no employees for which it directly provides employee benefit plans or incurs liabilities. Employee benefits and liabilities for the Community Development Program employees and retirees are provided through the Federal funding for those respective programs which programs are maintained and implemented by the City of White Plains.

4. Mission Statement and Performance Measures

The Mission Statement for the Agency, as originally adopted on March 31, 2010, and reaffirmed in subsequent years, reads as follows:

“It is the mission of the Agency to accomplish its goals of eliminating substandard and insanitary conditions and areas, and revitalizing municipally designated distressed areas; promoting redevelopment of these areas with safe, sanitary and economically

viable residential, non-residential, commercial, and industrial properties and uses; and enabling in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure in a manner benefiting the citizens, residents, businesses, government and community objectives of the City of White Plains as expressed in the White Plains Comprehensive Plan.”

The Mission Statement of the Agency has not been changed and continues to be relevant and serves the needs of the Agency. The Mission Statement and Performance Measurements Report are provided in Appendix A.

5. Schedule of Debt Issuance

On March 18, 2021, the Agency approved a Resolution (08-2021) to finance certain urban renewal projects described in the Urban Renewal Plan for the East Post Road Urban Renewal Area, including the acquisition of various parcels of land located along East Post Road.

6. Compensation Schedule

A. Members

The members of the Agency serve with no compensation of any kind.

B. Staff

There are no officers, directors or employees whose Agency salaries are in excess of \$100,000. The Agency employs no direct full or part-time administrative staff on urban renewal matters.

Pursuant to the 1990 Cooperation Agreement between the Agency and the City of White Plains, the Agency employs the staff of the White Plains Community Development Program who works exclusively on eligible federally funded Community Development Block Grant Program projects and activities, according to project and activity funding allocations approved by the Common Council. Within the approved project and activity budgets, the Agency approves the salary and compensation schedule for these employees.

The Agency reimburses the City of White Plains for time spent by the following city staff on Agency business, according to the compensation schedule provided in Table 2.

- Commissioner of Planning
- Environmental Officer
- Drafter 2
- Corporation Counsel/Law Department Attorney
- Deputy Commissioner of Finance and Senior Accountant

Table 2.		
Agency Compensation Schedule (Reimbursement to City of White Plains)		
Title/Position	Hourly Rate	Total
<i>Planning and Environmental</i>		
Executive Director	\$113.88	
Drafter 2	\$57.13	
Deputy Commissioner	\$87.23	
Subtotal		\$3,346.05
<i>Legal</i>		
Attorney	\$100	
Subtotal		\$800.00
<i>Finance/Audit</i>		
Deputy Finance Commissioner	\$94.96	
Subtotal		\$2,337.31
Total Agency Reimbursement to City		\$6,483.36

7. Biographical Information

Biographical information including salary reporting is required for all Directors and Officers and Employees whose salary is in excess of \$100,000. There were no Agency Directors, Officers, or Employees who met these criteria.

8. Projects Undertaken/Underway During Fiscal Year

The Agency's project accomplishments during this reporting period are summarized below:

A. East Post Road

In December 2019, the Agency adopted a Resolution to exercise its power of eminent domain for the potential acquisition of certain real property located in the City of White Plains, pursuant to Article 2 of the New York Eminent Domain Procedure Law. As of March 18, 2021, the Agency authorized the acquisition of the following properties:

- 26-28 East Post Road (\$1,500,000) (Resolution 05-2021);
- 60 East Post Road (\$2,900,000) (Resolution 06-2021)

Further, the Agency authorized its legal counsel to enter into a settlement agreement with the owners of 42 East Post Road and to commence proceedings under the New York Eminent Domain Procedure Law to acquire title to the property for \$5,200,000 (Resolution 07-2021).

B. Hamilton Green

In November 2022, the Agency adopted a resolution to cancel and terminate various terms, covenants, conditions and restrictions relating to the premises previously known as 200 Hamilton Avenue, and now known as the Hamilton Green located at 7 Cottage Place and 25 Cottage Place, White Plains, NY, 10601. Hamilton Green will be a mixed-use project with 860 residential units, associated parking, retail, restaurants, and a significant public plaza known as Hamilton Green.

9. Acquisition or Disposal of Real Property

PARA requires local authorities to report all real property having an estimated fair market value in excess of \$15,000 that was acquired or disposed of during the fiscal year.

A. Real Property and Price Received

The Agency acquired the following parcels:

1. 26-28 East Post Road (\$1,500,000) (Resolution 05-2021);
2. 60 East Post Road (\$2,900,000) (Resolution 06-2021)
3. The Agency authorized its legal counsel to enter into a settlement agreement with the owners of 42 East Post Road and to commence proceedings under the New York Eminent Domain Procedure Law to acquire title to the property for \$5,200,000 (Resolution 07-2021).

B. Property Sold by Agency

The Agency did not sell any property during the subject fiscal year.

10. Code of Ethics

The Code of Ethics of the City of White Plains includes and makes reference to the White Plains Urban Renewal Agency. The City of White Plains Code of Ethics is contained in the Municipal Code of the City of White Plains Article V and appears on the City's website https://library.municode.com/ny/white_plains/codes/code_of_ordinances. Disclosure Filings by Agency members must be made annually and submitted to the Westchester County Ethics Board as required by Public Authorities Law.

Agency members have also executed Acknowledgements of Fiduciary Duty which are on file in the Agency offices in the Planning Department.

11. Internal Controls and Procedures Assessment

For financial reporting and audit purposes, the Urban Renewal Agency is treated as a "Component Unit" of the City of White Plains. The Agency audit is submitted annually to the NYS Office of the Comptroller as a component unit of the City in the Annual Update Document (AUD). The Agency audit is contained in the City's Comprehensive Annual Finance Report (CAFR) as a component unit.

The Agency section of the OSC Annual Update Document and City CAFR are shown on the Agency's website at: <https://www.cityofwhiteplains.com/159/Financial-Reports>. The

Agency’s section is posted on the Agency’s website each year as soon as the OSC Annual Update Document and City CAFR are completed for the fiscal year.

12. Statutory Basis of the Agency

The Agency’s enabling legislation is General Municipal Law (“GML”) Article 15-A Section 554, and is attached as Appendix B to this report.

13. Agency Description and Board Structure

A. Description

The White Plains Urban Renewal Agency (WPURA) is a public benefit corporation authorized by Title 14, Article 15-B of New York State General Municipal Law to exercise certain powers to carry out urban renewal projects approved by the Common Council which conform to and promote the goals and objectives of the City’s Comprehensive Plan.

B. Board Structure

Committees and committee members

Governance Committee

John Martin
Christopher N. Gomez, Executive Director

Audit Committee

Dan Moriarty
Sergio Sensi, Treasurer

Board meetings and attendance

Meeting Date	Attendance	
August 10, 2022	<u>URA Members</u> Mayor Thomas Roach, Chair John Martin Walter Eddie	<u>Other</u> Christopher N. Gomez, Executive Director Arthur Gutekunst, Corporation Counsel Carol Endres, Finance Kristi Knecht, Planning Department
November 15, 2022	<u>URA Members</u> Mayor Thomas Roach, Chair Walter Eddie John Martin	<u>Other</u> Christopher N. Gomez, Executive Director Arthur Gutekunst, Corporation Counsel Kristi Knecht, Planning Department
March 14, 2023	<u>URA Members</u> Mayor Thomas Roach, Chair Dan Moriarty Walter Eddie John Martin	<u>Other</u> Christopher N. Gomez, Executive Director Arthur Gutekunst, Counsel Sergio Sensi, Commissioner of Finance Kristi Knecht, Planning Department

Major Agency units, subsidiaries

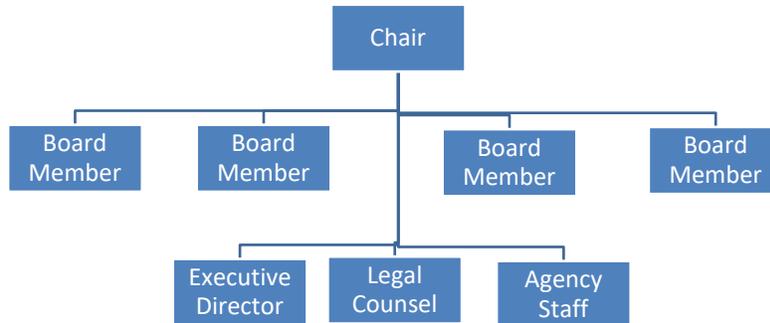
The Agency is comprised of a five-member board including the Mayor and four other members appointed by the Mayor. The Agency does not have any subsidiaries.



Number of Employees

The Agency has no full or part time administrative employees funded by the Agency. All work is performed under an Agreement with the City of White Plains for reimbursement of City staff time spent on Agency matters. During the subject fiscal year, there were three (3) full time and four (4) part time employees funded through the Federal Community Development Program. The Position, Title and Salary Schedule for the subject fiscal year was adopted by Agency Resolution 05-2022 and is attached in Appendix A.

Organizational Chart



14. Charter and Bylaws

See Appendix C.

15. Material Operating or Program Changes

There has been no material operating or program changes during the subject fiscal year.



16. 4 -Year Financial Plan

The Agency’s administrative budget is provided in Table 4, below.

Table 4: Administrative Budget

White Plains Urban Renewal Agency		
FY 2022-23 Proposed Administrative Budget		
Org. 2639		Proposed
		Modified
OBJECT	DESCRIPTION	Budget
4.005	Financial & Auditing	5,932
4.008	Legal Services	15,500
4.023	Program Services	23,368
4.095	Workers' Compensation Premium	3,000
4.096	Unemployment Insurance	2,200
4.101	Liability Insurance	10,000
	Total	<u>60,000</u>



The current and projected capital budget is provided in Table 5 below.

Table 5: Combined Federal Inception-to-Date Budget

Wपुरा - BUDGET REPORT				
COMBINED FEDERAL BUDGET, NYR-37				
Proposed Modified Budget July 31, 2022				
		Modified	Proposed	
		Budget	Modified	Increase
CODE	REVENUES	7/31/2022	Budget	(Decrease)
02203	HUD CD Block Grant	\$ 3,480,800	\$ 3,480,800	\$ -
02204	Project Capital Grant	55,524,997	55,524,997	-
02214	HUD Financial Setlmt Grant:	10,672,053	10,672,053	-
02282	Wपुरा State Grant	1,721,275	1,721,275	-
02286	Wपुरा-7 Contributions	94,238	94,238	-
06614	Land Sale Proceeds	10,756,729	10,756,729	-
06619	Other Minor Sales	600	600	-
06694	Rental Income/NYR-37	2,214,933	2,382,662	167,729
06696	Commissions	22,497	22,497	-
06698	Refund P/Y Expenses	69,370	69,370	-
06699	Miscellaneous	123,915	123,915	-
077XX	Interest Income	4,816,334	4,817,038	704
	Total Revenues	\$ 89,497,741	\$ 89,666,174	\$ 168,433
CODE	EXPENDITURES			
4.801	Total Survey & Planning-Pt. 1	\$ 441,530	\$ 441,530	\$ -
4.810	Administrative Overhead	11,990,459	11,990,459	-
4.815	Legal Services	1,070,000	1,070,000	-
4.818	Project Consultants	309,466	309,466	-
4.820	Interest Expense	12,225,033	12,225,033	-
4.830	Survey & Planning	263,495	263,495	-
4.840	Real Estate Acquisition	597,753	597,753	-
4.841	Acquisition Costs	44,091,214	44,091,214	-
4.843	Relocation Costs	32,671	32,671	-
4.844	Relocation Expenses	4,125,339	4,125,339	-
4.845	Disposal Costs	793,329	793,329	-
4.846	Temp Op Acq Prop/NYR-37	663,860	832,293	168,433
4.850	Site Clearance	2,601,889	2,601,889	-
4.855	Project Improvements	10,291,703	10,291,703	-
	Total Expenditures	\$ 89,497,741	\$ 89,666,174	\$ 168,433

17. Board Performance Evaluations

The aggregated results of the Annual Board of Directors Evaluation Questionnaire will be provided to the ABO.

The Evaluation Questionnaire is attached as Appendix D; however, the results are not included with this Annual Report because, according to the ABO, board discussion of its performance “would constitute a matter made confidential, by state law that, therefore, could be conducted in private.”

18. Buying or Selling Without Competitive Bidding

PARA requires local authorities to disclose any assets and services bought or sold without competitive bidding, including their nature, names of parties involved, contract price compared to fair market value, a detailed explanation justifying the purchase or sale without competitive bidding, certification by the CEO and CFO that terms of purchase or sale were reviewed and comply with procurement guidelines.

No assets were bought or sold by the Agency without competitive bidding.

19. Description of Material Pending Litigation

There is pending litigation pertaining to the Eminent Domain Procedure on East Post Road, mentioned in Section 8.0 above.

APPENDICES



APPENDIX A

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 01-2022

**RESOLUTION ADOPTING THE URBAN RENEWAL AGENCY ANNUAL
ADMINISTRATIVE BUDGET
FOR FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023**

WHEREAS:

- A. The administrative budget of the Agency was last amended by Resolution 01-2021 on January 28, 2021.
- B. Each year the Agency has adopted a detailed administrative budget to provide for a systematic control of the administrative expenses of the White Plains Urban Renewal Agency on an annual basis.
- C. The Agency has been advised by its Treasurer and Legal Counsel to provide for unemployment insurance, workers' compensation insurance and liability insurance in its proposed Administrative Budget.
- D. A proposed Administrative Budget which includes funding for requirements for the fiscal year beginning July 1, 2022 and ending June 30, 2023 (FY 2022-23) has been prepared by Agency staff, a copy of which is attached hereto as Exhibit A.
- E. The Agency has reviewed the proposed Administrative Budget for FY 2022-23.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Agency hereby determines that the proposed Administrative Budget for the Fiscal Year represents a reasonable projection of expenditures necessary to carry out the urban renewal program for the Fiscal Year.
- 2. The proposed Administrative Budget for the Fiscal Year attached hereto as Exhibit A and made a part hereof, be and it hereby is, approved and adopted for the Agency's fiscal year beginning July 1, 2022 and ending June 30, 2023.
- 3. This Resolution shall take effect July 1, 2022.

Dated: August 8, 2022

Adopted: August 10, 2022

Exhibit A

WHITE PLAINS URBAN RENEWAL AGENCY

2022-2023 ADMINISTRATIVE BUDGET

Effective July 1, 2022

White Plains Urban Renewal Agency			
FY 2022-23 Proposed Administrative Budget			
Org. 2639			Proposed
			Modified
OBJECT	DESCRIPTION		Budget
4.005	Financial & Auditing		5,932
4.008	Legal Services		15,500
4.023	Program Services		23,368
4.095	Workers' Compensation Premium		3,000
4.096	Unemployment Insurance		2,200
4.101	Liability Insurance		10,000
	Total		<u>60,000</u>

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 01-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 01-2023

A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MAY 5, 2023 TO INSTALL THE REMAINING PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT

WHEREAS, on August 1, 2022, WP North Tower LLC (“North Tower”) and WP South Tower LLC (“South Tower”) and LCOR 55 Bank Street LLC (“LCOR”) (collectively “the Redevelopers”) signed an estoppel certificate that granted an extension of time for all the parking stackers to be installed at 55 and 57 Bank Street to March 7, 2023; and

WHEREAS, by letter dated February 22, 2023 from their attorney, William S. Null of Cuddy & Feder, LLP, the Redevelopers requested an extension of time for the remaining stackers to be installed at 55 and 57 Bank Street until May 5, 2023; and

WHEREAS, as of February 22, 2023, the Redevelopers have completed the installation of 63 of 72 stackers needed to provide the required 570 parking spaces; and

WHEREAS, the White Plains Common Council voted unanimously, on March 6, 2023, to authorize the Mayor, or his designee, to sign such estoppel certificate and authorize an extension of time to May 5, 2023 for LCOR to install the remaining parking stackers; and

WHEREAS, executing such an estoppel certificate would be appropriate and in the best interests of the Agency to allow for the completion and continued operation of the Continuum project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agency hereby determines that the requested extension of time to May 5, 2023, by the Redevelopers to install the remaining stackers to provide 570 parking spaces at the Continuum project site at 55 and 57 Bank Street, is appropriate.
2. The Chairman of the Agency, or his designee, is hereby authorized to execute an appropriate estoppel certificate among the City, the Agency and North Tower and South Tower as successors to LCOR in order to allow the Redevelopers to convert their construction mortgage into permanent financing.

3. This Resolution shall take effect immediately.

Dated: March 10, 2023

Adopted: March 14, 2023

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 01-2023**, (the "Resolution"), adopted at a meeting of the Agency held on **March 14, 2023** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **March 14, 2023**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 02-2022

RESOLUTION AMENDING THE ADOPTED COMBINED FEDERAL
"INCEPTION-TO-DATE" BUDGET

WHEREAS:

- A. The White Plains Urban Renewal Agency ("the Agency") last amended the Federal Inception-To-Date Budget by Resolution 02-2021, adopted January 28, 2021.
- B. Due to the substantial decrease in interest rates and the increase in costs related to the temporary operation of acquired property, being the payment of County sewer and refuse charges for Agency owned property, the Agency has earned very little unencumbered income in the Federal-Inception-To-Date account since it was last amended.
- C. The Agency continues to incur limited expenses for the administrative operation of the Agency, including costs of the services of the Finance, Law and Planning Departments, and audit fees.
- D. In order to continue to fund the Agency's expenses, which primarily represent the reimbursement of the City for professional services, it is necessary and appropriate to amend the Combined Federal Budget to increase revenues and increase expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Combined Federal Inception-To-Date Budget for the Agency, reflecting revenues and expenditures of the Agency including, among other things, funding for Administrative Overhead and Temporary Operation of Acquired Property, last amended January 28, 2021, is hereby amended and approved as shown in Exhibit A, attached hereto and made a part hereof, and be it further resolved that
- 2. This Resolution shall take effect July 31, 2022.

Dated: August 8, 2022

Adopted: August 10, 2022

Exhibit A

**WPURA - BUDGET REPORT
COMBINED FEDERAL BUDGET, NYR-37**

WPURA - BUDGET REPORT				
COMBINED FEDERAL BUDGET, NYR-37				
Proposed Modified Budget July 31, 2022				
		Modified	Proposed	
		Budget	Modified	Increase
CODE	REVENUES	7/31/2022	Budget	(Decrease)
02203	HUD CD Block Grant	\$ 3,480,800	\$ 3,480,800	\$ -
02204	Project Capital Grant	55,524,997	55,524,997	-
02214	HUD Financial Setlmnt Grant:	10,672,053	10,672,053	-
02282	WPURA State Grant	1,721,275	1,721,275	-
02286	WPURA-7 Contributions	94,238	94,238	-
06614	Land Sale Proceeds	10,756,729	10,756,729	-
06619	Other Minor Sales	600	600	-
06694	Rental Income/NYR-37	2,214,933	2,382,662	167,729
06696	Commissions	22,497	22,497	-
06698	Refund P/Y Expenses	69,370	69,370	-
06699	Miscellaneous	123,915	123,915	-
077XX	Interest Income	4,816,334	4,817,038	704
	Total Revenues	\$ 89,497,741	\$ 89,666,174	\$ 168,433
CODE	EXPENDITURES			
4.801	Total Survey & Planning-Pt. 1	\$ 441,530	\$ 441,530	\$ -
4.810	Administrative Overhead	11,990,459	11,990,459	-
4.815	Legal Services	1,070,000	1,070,000	-
4.818	Project Consultants	309,466	309,466	-
4.820	Interest Expense	12,225,033	12,225,033	-
4.830	Survey & Planning	263,495	263,495	-
4.840	Real Estate Acquisition	597,753	597,753	-
4.841	Acquisition Costs	44,091,214	44,091,214	-
4.843	Relocation Costs	32,671	32,671	-
4.844	Relocation Expenses	4,125,339	4,125,339	-
4.845	Disposal Costs	793,329	793,329	-
4.846	Temp Op Acq Prop/NYR-37	663,860	832,293	168,433
4.850	Site Clearance	2,601,889	2,601,889	-
4.855	Project Improvements	10,291,703	10,291,703	-
	Total Expenditures	\$ 89,497,741	\$ 89,666,174	\$ 168,433

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 02-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 02-2023

RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2023 to JUNE 30, 2024

WHEREAS:

- A. General Municipal Law (“GML”) Article 15 provides in the definition of urban renewal at Section 501.3, “a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreation and other facilities incidental or appurtenant thereto . . .The terms ‘clearance, re-planning, reconstruction and rehabilitation’ shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term ‘program’ may mean or include and be interchangeable with the term ‘project’”.
- B. Among its powers under GML Article 15-A, an urban renewal agency has the authority, pursuant to Section 554(7) “to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper”.
- C. Among its powers under GML Article 15-A, an urban renewal agency has the further authority, pursuant to GML Section 554(8) “with the consent of the municipality to use agents, employees and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs”.
- D. Further among its powers under GML Article 15-A, pursuant to GML Section 554(1) an urban renewal agency has the power “to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from sources public or private, for the purposes of this article and article fifteen of this chapter”.
- E. Further among the purposes of an urban renewal agency under GML Article 15 and 15-A, pursuant to GML Section 554(16) is the power “to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems”.
- F. Pursuant to GML Section 554(7) and (11), and in cooperation with the City of White Plains (“City”) and the Federal Government, particularly the U.S. Department of Housing and Urban Development (“HUD”), the White Plains Urban Renewal Agency (“Agency”) with Community Development Block Grant Program grant funds directed to the Agency by the City, employs certain persons whose positions are directly involved in:

1. The preparation of general neighborhood renewal plans, pursuant to GML Section 554(16).
 2. The preparation of specific urban renewal plans, pursuant to GML Section 502.7.
 3. Implementing a program of rehabilitation and concentrated code enforcement in areas determined to be substandard and insanitary areas of the City, pursuant to GML Section 502.3.
 4. The review and implementation of certain public facility plans in substandard and insanitary areas, including the oversight of park improvements and historic buildings, pursuant to GML Section 502.3.
 5. Testing and reporting to the Agency and the City on methods and techniques for the arrest, prevention and elimination of slums and blight, pursuant to GML Section 502.3.
- G. Historically the Agency has, to the extent feasible and subject to funding availability, maintained parity of its Community Development funded employees with the City's Civil Service Employee's Association ("CSEA")-represented employees.
- H. Based on work undertaken by the Agency's Community Development funded employees, it is anticipated that, during its 2022-23 fiscal year the Agency staff will (1) continue to provide rehabilitation and housing assistance to low and moderate income families, (2) administer grants to public service agencies which provide services to low and moderate income families and the homeless, and (3) implement all other activities to achieve the goals and outcomes of the 2020-2024 Consolidated Plan, as specified in the document. It is anticipated that the 2023-24 Annual Action Plan will contain these activities as well.
- I. To undertake this workload for 2023-2024 within the funding availability of the Community Development Block Grant Program and the Federal program regulations therefor, the Executive Director has presented to the Agency a new Position Title and Salary Schedule for fiscal year 2023-24 for Agency employees to be effective July 1, 2023 (Exhibit A).
- J. The Agency has reviewed the proposed 2023-24 Community Development Program Position Title and Salary Schedule and have reviewed the Community Development Program funding and regulations with regard to the funding allocations.

NOW, THEREFORE, BE IT RESOLVED:

1. The Agency hereby finds that:
 - a. The continued employment of Agency employees funded by the Community Development Program to assist the Agency in the carrying out of its program of urban renewal pursuant to GML Articles 15 and 15-A at the highest level for the residents of White Plains is necessary and in the public interest;
 - b. Federal funding through the Community Development Program for Agency employees for fiscal year 2023-24 is expected to be available from HUD at the current level of appropriation, subject to HUD regulations and continued approval of the Community Development Block Grant Program Budget by the Common Council
2. The Agency hereby approves the 2023-24 Community Development Program Position Title and Salary Schedule in its entirety, effective July 1, 2023 as attached hereto as Exhibit A and made a part hereof.
3. The Agency hereby determines that all personnel costs shall be allocated and charged to the Community Development according to the percentage of salary allocation shown in Exhibits A hereof.
4. This Resolution shall take effect July 1, 2023.

Dated: March 10, 2023

Adopted: March 14, 2023

Exhibit A
WHITE PLAINS URBAN RENEWAL AGENCY
Community Development Program
POSITION TITLE AND SALARY SCHEDULE
Effective July 1, 2023

FULL TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
Rehabilitation Officer	CD 005 - 100%	12/5	Up to \$74,821
Community Development Assistant	CD 090 – 30% CD 005 - 70%	10/7	Up to \$20,188 Up to \$47,106
Neighborhood Conditions Coordinator	CD 090 – 30% CE 314 – 70%	10/12	Up to \$21,734 Up to \$50,712
PART TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
PT Rehabilitation Program Representative	CD 005	Hourly	\$30/hour, up to an annual maximum of \$10,000
PT Code Enforcement Officer(s)	CE 314	Hourly	Up to \$37.50/hour, up to an annual maximum of \$19,500 each
PT CD Analyst	CD 090	Hourly	Up to \$30/hour up to an annual maximum of \$24,000
PT Clerk	CD 005	Hourly	Up to \$20/hour, up to an annual maximum of \$24,000

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 02-2023**, (the "Resolution"), adopted at a meeting of the Agency held on **March 14, 2023** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **March 14, 2023**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 03-2022

I. RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY REAFFIRMING THE MISSION STATEMENT AND PERFORMANCE MEASURES AND APPROVING THE ANNUAL REPORT

WHEREAS:

- A. Chapter 506 of the Laws of 2009, known as the 2009 Public Authorities Reform Act or “PARA,” requires that State and local public authorities subject to PARA develop and adopt a mission statement. The Act further requires that such authorities and agencies develop performance measures to assist the Authorities Budget Office (“ABO”) in determining how well such authorities and agencies are doing in carrying out their missions (together “Mission Statement and Performance Measures”).
- B. PARA also requires such State and local public authorities to prepare and make publicly available an Annual Report which documents the extent to which the agency is furthering its mission and meeting its performance measures.
- C. The White Plains Urban Renewal Agency (“Agency”), established under General Municipal Law (“GML”) Article 15-B Section 583, is a local public authority subject to the requirements of PARA.
- D. In response to ABO Policy Guidance and in compliance with PARA, the Agency originally adopted the “Mission Statement and Performance Measures,” attached hereto as Exhibit A.
- E. Agency staff has prepared an Annual Report for fiscal years 2020-21 and 2021-22, attached hereto as Exhibit B, which includes responses to all of the annual reporting requirements of PARA.
- F. All members of the Agency have received, reviewed and executed the “Acknowledgement of Fiduciary Duties and Responsibilities” statement provided by the NYS Authorities Budget Office pursuant to Public Authorities Law Section 2824(1)(h), attached hereto as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. All Agency Board members present at this Agency meeting hereby acknowledge that they have read and understand the “Mission Statement and Performance Measures,” the Annual Report and this Resolution.
- 2. Based on the foregoing, the Agency Board, hereby finds the “Mission Statement and Performance Measures,” originally adopted on March 31, 2010, continues to be an accurate statement of the mission of the Agency and an accurate description of the measures available to the Agency to assess and evaluate its performance in the implementation of its mission.

3. The Agency Board further finds that the Annual Report is an accurate description of the Agency as required under PARA.
4. The Agency finds that each member of the Board has provided a signed “Acknowledgement of Fiduciary Duties and Responsibilities”.
5. Based on the above findings, the Agency hereby adopts this Resolution and its attachments, reaffirming the (1) “Mission Statement and Performance Measures,” and (2) approving the Annual Report.

Dated: August 8, 2022

Adopted: August 10, 2022

EXHIBIT A

White Plains Urban Renewal Agency Mission Statement and Performance Measurements

Name of Public Authority: White Plains Urban Renewal Agency

A. Public Authority's Mission Statement:

Section I. Legal Authority and Purpose of the Agency

The purpose of the White Plains Urban Renewal Agency ("Agency") is to exercise its powers under General Municipal Law ("GML") Article 15-A Section 554 to carry out urban renewal projects approved by the Common Council of the City of White Plains ("Common Council of the City" or "City") which projects and the plans therefor conform to and promote the effectuation of the goals and objectives of the Comprehensive Plan of the City of White Plains, as the same may from time to time be amended. Pursuant to GML Section 502(6) a plan for an urban renewal project must conform to the "comprehensive community plan." This term is interchangeable with "master plan" or "general plan." In White Plains, an active urban renewal plan must be in conformance with the City's 1997 Comprehensive Plan, as amended to date ("White Plains Comprehensive Plan").

Pursuant to GML Section 554 and Section 583, the Agency was created and is authorized to "plan and undertake one or more urban renewal projects and shall have the powers necessary or convenient to carry out and effectuate such project or projects and the purposes and provisions of this article fifteen of this chapter." The purpose of providing an urban renewal agency, and specifically here the Agency with such powers is to enable such agency to carry out, within the City of White Plains an urban renewal program which is defined in Article 15 Section 502(3) as "a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreational and other facilities incidental or appurtenant thereto, pursuant to and in accordance with article eighteen of the constitution and this article. The terms "clearance, re-planning, reconstruction and rehabilitation" shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term "program" may mean or include and be interchangeable with the term "project."

Section II. Agency Stakeholders

The stakeholders of the Agency are the citizens and businesses of the City of White Plains. Within each designated urban renewal project area the direct stakeholders are those affected by and the beneficiaries of the particular urban renewal project in that designated area, and those outside the designated project area who are most directly impacted by the implementation of an urban renewal project plan within the designated project area, including any and all residents of the City of White Plains.

Section III. Goals of the Agency

The goals of the Agency are to work with the City to:

- (1) eliminate substandard and insanitary conditions and areas, and revitalize municipally designated distressed areas;
- (2) promote redevelopment of these areas with safe, sanitary and economically viable residential, non-residential, commercial, and industrial properties and uses; and
- (3) enable in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure.

(Substandard or insanitary areas include under General Municipal Law Section 502(4) “a slum, blighted, deteriorated or deteriorating area, or an area which has a blighting influence on the surrounding area. . .”)

Section IV: Mission of the Agency

It is the mission of the Agency to accomplish its goals of eliminating substandard and insanitary conditions and areas, and revitalizing municipally designated distressed areas; promoting redevelopment of these areas with safe, sanitary and economically viable residential, non-residential, commercial, and industrial properties and uses; and enabling in these areas the redevelopment of, conservation, restoration or improvements of private and public facilities and infrastructure in a manner benefitting the citizens, residents, businesses, government and community objectives of the City of White Plains as expressed in the White Plains Comprehensive Plan.

Originally Adopted: March 31, 2010 (Agency Resolution 01-2010)

Reaffirmed: January 28, 2021 (Agency Resolution 03-2021)

B. List of Performance Goals:

Performance Goals:

To accomplish the goals of the Agency as expressed in its Mission Statement, the Agency works with the City to exercise its powers under GML Section 554 for the benefit of the community of White Plains, to establish for each area designated by the Common Council of the City as a substandard or insanitary area, as defined in General Municipal Law Section 502(4), a planned program of urban renewal including:

- (1) the formal designation of an urban renewal project area by the Agency and Common Council of the City, pursuant to General Municipal Law Section 504.
- (2) the adoption, or amendment of an existing urban renewal plan for the redevelopment of the designated area, such plan being subject to the review and report of the White Plains Planning Board and approval of the Common Council of the City pursuant to GML Section 505. The approval of the urban renewal plan shall include how it conforms to the White Plains Comprehensive Plan.
- (3) specification in the urban renewal plan, or amendments thereto, of the powers of the Agency to be exercised in the implementation of the approved plan.
- (4) implementation of the urban renewal plan, which may include but is not limited to:
 - a. acquisition of public or private property within the designated project area as specifically identified in the adopted urban renewal plan for the designated area as approved by the City,
 - b. designation of private or public entities for the redevelopment, as defined under GML Section 503(3), of public or private property within the designated project area as specifically provided for in the adopted urban renewal plan,
 - c. disposition of acquired property within the designated project area for redevelopment, as specifically identified in the adopted urban renewal plan for the designated project area, and
 - d. authorizing a redevelopment program as defined under GML 502(3) for public or private infrastructure specifically identified in the adopted urban renewal plan for the designated project area,
 - e. redevelopment as defined under GML 502(3) of the disposed property within the designated project area as specifically identified in the adopted urban renewal plan.

Assessment of Implementation of Goals

All goals, objectives and strategies for the redevelopment of a particular designated urban renewal project area are specified in the adopted urban renewal plan which is subject to the approval of the Common Council of the City after review and report from the Planning Board and after a public hearing before both the Planning Board and the Common Council of the City. Any amendments to such plans or project area boundaries are also subject to public hearings. The urban renewal plans are public documents. The notice of all meetings, all urban renewal agency resolutions and the urban renewal plans are available for public review and are posted on the Agency's website. Any member of the public can monitor and assess the implementation of each urban renewal plan and the effect of each urban renewal project by visiting the project sites, reviewing the enabling legislation for each project and project modification, reviewing the urban renewal plans, and reviewing all project documents, including site plans and building plans which are available for public review during regular office hours at the offices of the Agency located in the City Hall Annex.

As a small public benefit corporation, the Agency is not involved in projects spread out over multiple jurisdictions or involving substantial financial resources, as is the case with many public authorities. As such, the monitoring of its performance by the Agency can be and is performed on a level very close to the projects in which it is involved. The following are performance measures for the Agency in assessing its implementation of its mission goals and objectives.

1. Is the urban renewal plan for a designated urban renewal project area moving forward consistent with the time frame established in the urban renewal plan?
2. Is the urban renewal plan for a designated urban renewal project area being implemented as specified in the urban renewal plan? Are the powers designated in the adopted urban renewal plan to be used by the Agency being used and are the results of using such powers achieving the objectives specified in the urban renewal plan?
3. Have there been any changes to the White Plains Comprehensive Plan since the adoption of the urban renewal plan which affect the plans conformance with the Comprehensive Plan or necessitate adjustments to the urban renewal plan?
4. Have there been any changes within the designated project area which necessitate a reevaluation of the area designated, either necessitating the inclusion of more or fewer properties?
5. Each redevelopment, reconstruction, rehabilitation or other plan for the redevelopment of a component of the urban renewal project is reviewed by the Agency management and by the Agency members ("Agency Board") to assess its conformance to the adopted urban renewal plan and the land use requirements of the City of White Plains.

6. The budget for each urban renewal project is reviewed by Agency management on a monthly basis and by the Agency Board at least twice a year to determine if the urban renewal project is on budget and at what rate funds are being expended under the budget.
7. A status report of each open urban renewal project is presented to the Agency Board at Agency meetings as part of the Director's Report.
8. All meetings of the Agency are noticed and open to the public.

EXHIBIT B
2021-22 ANNUAL
REPORT
(Under Separate Cover)

<https://www.cityofwhiteplains.com/569/Annual-Report>

EXHIBIT C

ACKNOWLEDGEMENT OF FIDUCIARY DUTIES AND RESPONSIBILITIES
EXECUTED STATEMENTS OF BOARD MEMBERS



Acknowledgement of Fiduciary Duties and Responsibilities

As a member of the Authority's board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Authority and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law, including but not limited to the Public Authorities Reform Act of 2009, Public Officers Law, and General Municipal Law. As a member of the board of directors:

I. Mission Statement

I have read and understand the mission of the Authority; and the mission is designed to achieve a public purpose on behalf of the State of New York. I further understand that my fiduciary duty to this Authority is derived from and governed by its mission.

I agree that I have an obligation to become knowledgeable about the mission, purpose, functions, responsibilities, and statutory duties of the Authority and, when I believe it necessary, to make reasonable inquiry of management and others with knowledge and expertise so as to inform my decisions.

II. Deliberation

I understand that my obligation is to act in the best interests of the Authority and the People of the State of New York whom the Authority serves.

I agree that I will exercise independent judgment on all matters before the board.

I understand that any interested party may comment on any matter or proposed resolution that comes before the board of directors consistent with the laws governing procurement policy and practice, be it the general public, an affected party, a party potentially impacted by such matter or an elected or appointed public official. However, I understand that the ultimate decision is mine and will be consistent with the mission of the Authority and my fiduciary duties as a member of the Authority's board of directors.

I will participate in training sessions, attend board and committee meetings, and engage fully in the board's and committee's decision-making process.

III. Confidentiality

I agree that I will not divulge confidential discussions and confidential matters that come before the board for consideration or action.

IV. Conflict of Interest

I agree to disclose to the board any conflicts, or the appearance of a conflict, of a personal, financial, ethical, or professional nature that could inhibit me from performing my duties in good faith and with due diligence and care.

I do not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of my duties in the public interest.

Signature: Walter J. Eddie
Print Name: Walter J. Eddie
Authority Name: Urban Renewal Agency
Date: Aug. 10, 2022

EXHIBIT C

ACKNOWLEDGEMENT OF FIDUCIARY DUTIES AND RESPONSIBILITIES
EXECUTED STATEMENTS OF BOARD MEMBERS



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Signature: _____

Print Name: _____

Authority Name: _____

Date: _____



JOHN M. MARTIN
WHITE PLAINS URBAN RENOVATION AGENCY
8-9-2022

EXHIBIT C

ACKNOWLEDGEMENT OF FIDUCIARY DUTIES AND RESPONSIBILITIES EXECUTED STATEMENTS OF BOARD MEMBERS



Acknowledgement of Fiduciary Duties and Responsibilities

As a member of the Authority's board of directors, I understand that I have a fiduciary obligation to perform my duties and responsibilities to the best of my abilities, in good faith and with proper diligence and care, consistent with the enabling statute, mission, and by-laws of the Authority and the laws of New York State. The requirements set forth in this acknowledgement are based on the provisions of New York State law, including but not limited to the Public Authorities Reform Act of 2009, Public Officers Law, and General Municipal Law. As a member of the board of directors:

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I do not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of my duties in the public interest.

Signature: _____

Print Name: _____

Authority Name: _____

Date: _____



Thomas W. Roche
CITY OF WHITE PLAINS, N.Y.
8/9/22

EXHIBIT C

ACKNOWLEDGEMENT OF FIDUCIARY DUTIES AND RESPONSIBILITIES
EXECUTED STATEMENTS OF BOARD MEMBERS



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II. Deliberation

I understand that my obligation is to act in the best interests of the Authority and the People of the State of New York whom the Authority serves.

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IV. Conflict of Interest

I agree to disclose to the board any conflicts, or the appearance of a conflict, of a personal, financial, ethical, or professional nature that could inhibit me from performing my duties in good faith and with due diligence and care.

I do not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of my duties in the public interest.

Signature: *Daniel P. Moriarty*
 Print Name: DANIEL P. MORIARTY
 Authority Name: URBAN RENEWAL AGENCY
 Date: 8/14/2022

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 03-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 04-2022

RESOLUTION ESTABLISHING A BUDGET FOR THE EAST POST ROAD LAND SALES LOCATED IN THE PHASE II EAST POST ROAD/SOUTH LEXINGTON AVENUE URBAN REWEWAL PROJECT, PROJECT NO. WPUR-12

WHEREAS, pursuant to Section 583 of the General Municipal Law of the State of New York, the **CITY OF WHITE PLAINS URBAN RENEWAL AGENCY** (hereinafter the "Agency") was established for the accomplishment of any or all of the objectives or purposes specified in General Municipal Law Articles 15 and 15-a (each as may be amended from time to time and hereinafter collectively called the "Act") which authorizes the Agency "to acquire or contract to acquire from any person, firm, corporation or government, by subsidy, contribution, gift, grant, bequest, devise, purchase, pursuant to the provisions of the eminent domain procedure law, or otherwise, real or personal property or any interest therein..." necessary or convenient to carry out and effectuate the purposes and provisions of the Act; and

WHEREAS, the Agency exercised its power of eminent domain for the "acquisition" of all or portions of certain "real property" (as such quoted terms are defined in the New York Eminent Domain Procedure Law, herein the "EDPL") located in the City of White Plains, Westchester County, State of New York (the "City") and comprising approximately 4.18 +/- acres of real property, and consisting of thirteen (13) tax parcels identifiable by the following street addresses and tax identification numbers: (1) 223-225 Dr. Martin Luther King Jr. Boulevard (being the approximate 1.52-acre southern portion identifiable by section, block and lot number ("SBL") 125.83-7-1), (2) 1-3 East Post Road (being approximately 0.12-acres identifiable by SBL 130.27-10-1), (3) 2-4 East Post Road (being approximately 0.12-acres identifiable by SBL 130.27-2-10), (4) 60 East Post Road (being approximately 0.37-acres identifiable by SBL 130.27-2-2), (5) 42 East Post Road (being approximately 0.24-acres identifiable by SBL 130.27-2-3), (6) 34 East Post Road (being approximately 0.26-acres identifiable by SBL 130.27-2-4), (7) 26-28 East Post Road (being approximately 0.20-acres identifiable by SBL 130.27-2-5), (8) 22-24 East Post Road (being approximately 0.16-acres identifiable by SBL 130.27-2-6), (9) 18-20 East Post Road (being approximately 0.15-acres identifiable by SBL 130.27-2-7), (10) 14-16 East Post Road (being approximately 0.20-acres identifiable by SBL 130.27-2-8), (11) 12 East Post Road (being approximately 0.15-acres identifiable by SBL 130.27-2-9), (12) 184-188 South Lexington Avenue (being approximately 0.17-acres identifiable by SBL 130.27-8-2) and (13) 190-192 South Lexington Avenue (being approximately 0.52-acres identifiable by SBL 130.27-8-3), collectively "the Parcels", all in connection with a certain future project(s) consisting of facilitating and promoting the productive use of the Parcels, which are currently underutilized; and

WHEREAS, in accordance with the EDPL, the Agency conducted a duly noticed public hearing on September 5, 2019 at 10:00 a.m. to inform the public and to review the public use, benefit or purpose to be served by the Project, the proposed location of the Project and its general effect on the environment and the residents of the locality where the Project is proposed to be constructed and at the public hearing, the public was provided an opportunity to provide any comments and written comments were accepted by the Agency through September 16, 2019 (such comment period collectively with the aforementioned hearing record hereinafter referred to as the "Hearing"); and

WHEREAS, in accordance with the EDPL, and pursuant to the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617.1 et seq., as amended (collectively referred to as "SEQRA"), the Agency issued a Negative Declaration (as that term is defined under SEQRA), on December 5, 2019, determining that the condemnation of certain real property consisting principally of approximately 4.18 acres was an Unlisted Action which would not result in any significant adverse impact to the environment, thereby satisfying the applicable requirements set forth in SEQRA; and

WHEREAS, in accordance with the EDPL and any applicable laws, rules or regulations concerning the condemnation of certain real property consisting principally of approximately 4.18 acres, the Agency adopted and published the Determination and Findings on December 5, 2019; and

WHEREAS, by resolution dated March 18, 2021, the Agency authorized the acquisition of title to property located at 26-28 East Post Road for a sale price of One Million Five Hundred Thousand Dollars (\$1,500,000) and the Agency authorized its Chair to execute a Sale and Purchase Agreement; and

WHEREAS, by resolution dated March 18, 2021, the Agency authorized the acquisition of title to property located 60 East Post Road for a sale price of Two Million Nine Hundred Thousand Dollars (\$2,900,000) and the Agency authorized its Chair to execute a Sale and Purchase Agreement; and

WHEREAS, by resolution dated March 18, 2021, the Agency authorized counsel to enter into a settlement agreement with the owners of 42 East Post Road to commence proceedings under EDPL Article IV in New York State Supreme Court, Westchester County authorizing the filing of an acquisition map by the Agency to acquire title to the Property by Eminent Domain as soon as practicable and upon vesting of title to the Property with the Agency, the parties would enter into an EDPL Article 5 Settlement Agreement to settle any claims the

Owners would have under EDPL Article 5 related to compensation for the condemnation of the Property in the amount of Five Million Two Hundred Thousand Dollars (\$5,200,000.00).

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF WHITE PLAINS URBAN RENEWAL AGENCY AS FOLLOWS:

1. The Agency has reviewed the proposed East Post Road Acquisition/Disposition Budget to record the revenues and expenditures of the Agency in relation to the acquisition of properties referenced above; and
2. The Agency finds that the proposed East Post Road Acquisition/Disposition Budget properly reflects the anticipated revenues and expenses in relation to the acquisition of properties referenced above; and
3. The Agency hereby approves and adopts the proposed East Post Road Acquisition/Disposition Budget, as shown in Exhibit A attached hereto and made a part hereof.
4. This Resolution is effective June 1, 2021.

Dated: August 8, 2022

Adopted: August 10, 2022

Exhibit A

White Plains Urban Renewal		
East Post Road Acquisition/Disposition		
Fund 353 Org 2650		
Revenues:		
07711	Interest	\$ -
08820	BAN Principal	9,800,000
08822	BAN Premium	-
		<u>\$ 9,800,000</u>
Expenditures:		
4.005	Finance & Auditing	\$ 15,000
4.008	Legal Services	15,000
4.820	Interest Expense	100,000
4.840	Acquisition Expense	60,000
4.841	Real Estate Acquisition	9,600,000
4.848	Temporary Operation of Acquired Property	10,000
		<u>\$ 9,800,000</u>

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 04-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 05-2022

RESOLUTION ESTABLISHING THE COMMUNITY DEVELOPMENT TITLE AND SALARY SCHEDULE FOR FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023

WHEREAS:

- A. General Municipal Law (“GML”) Article 15 provides in the definition of urban renewal at Section 501.3, “a program established, conducted and planned by a municipality for the redevelopment, through clearance, re-planning, reconstruction, rehabilitation, and concentrated code enforcement, or a combination of these and other methods, of substandard and insanitary areas of such municipalities, and for recreation and other facilities incidental or appurtenant thereto . . .The terms ‘clearance, re-planning, reconstruction and rehabilitation’ shall include renewal, redevelopment, conservation, restoration or improvement or any combination thereof as well as relocation activities and the testing and reporting of methods and techniques for the arrest, prevention and elimination of slums and blight; the term ‘program’ may mean or include and be interchangeable with the term ‘project’”.
- B. Among its powers under GML Article 15-A, an urban renewal agency has the authority, pursuant to Section 554(7) “to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper”.
- C. Among its powers under GML Article 15-A, an urban renewal agency has the further authority, pursuant to GML Section 554(8) “with the consent of the municipality to use agents, employees and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs”.
- D. Further among its powers under GML Article 15-A, pursuant to GML Section 554(1) an urban renewal agency has the power “to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from sources public or private, for the purposes of this article and article fifteen of this chapter”.
- E. Further among the purposes of an urban renewal agency under GML Article 15 and 15-A, pursuant to GML Section 554(16) is the power “to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems”.
- F. Pursuant to GML Section 554(7) and (11), and in cooperation with the City of White Plains (“City”) and the Federal Government, particularly the U.S. Department of Housing and Urban Development (“HUD”), the White Plains Urban Renewal Agency (“Agency”) with Community Development Block Grant Program grant funds directed to the Agency by the City, employs certain persons whose positions are directly involved in:

1. The preparation of general neighborhood renewal plans, pursuant to GML Section 554(16).
 2. The preparation of specific urban renewal plans, pursuant to GML Section 502.7.
 3. Implementing a program of rehabilitation and concentrated code enforcement in areas determined to be substandard and insanitary areas of the City, pursuant to GML Section 502.3.
 4. The review and implementation of certain public facility plans in substandard and insanitary areas, including the oversight of park improvements and historic buildings, pursuant to GML Section 502.3.
 5. Testing and reporting to the Agency and the City on methods and techniques for the arrest, prevention and elimination of slums and blight, pursuant to GML Section 502.3.
- G. Historically the Agency has, to the extent feasible and subject to funding availability, maintained parity of its Community Development funded employees with the City's Civil Service Employee's Association ("CSEA")-represented employees.
- H. Based on work undertaken by the Agency's Community Development funded employees, it is anticipated that, during its 2022-23 fiscal year the Agency staff will (1) continue to provide rehabilitation and housing assistance to low and moderate income families, (2) administer grants to public service agencies which provide services to low and moderate income families and the homeless, and (3) implement all other activities to achieve the goals and outcomes of the 2020-2024 Consolidated Plan, as specified in the document. It is anticipated that the 2022-23 Annual Action Plan will contain these activities as well.
- I. To undertake this workload for 2022-2023 within the funding availability of the Community Development Block Grant Program and the Federal program regulations therefor, the Executive Director has presented to the Agency a new Position Title and Salary Schedule for fiscal year 2022-23 for Agency employees to be effective July 1, 2022 (Exhibit A).
- J. The Agency has reviewed the proposed 2022-23 Community Development Program Position Title and Salary Schedule and have reviewed the Community Development Program funding and regulations with regard to the funding allocations.

NOW, THEREFORE, BE IT RESOLVED:

1. The Agency hereby finds that:
 - a. The continued employment of Agency employees funded by the Community Development Program to assist the Agency in the carrying out of its program of urban renewal pursuant to GML Articles 15 and 15-A at the highest level for the residents of White Plains is necessary and in the public interest;
 - b. Federal funding through the Community Development Program for Agency employees for fiscal year 2022-23 is expected to be available from HUD at the current level of appropriation, subject to HUD regulations and continued approval of the Community Development Block Grant Program Budget by the Common Council
2. The Agency hereby approves the 2022-23 Community Development Program Position Title and Salary Schedule in its entirety, effective July 1, 2022 as attached hereto as Exhibit A and made a part hereof.
3. The Agency hereby determines that all personnel costs shall be allocated and charged to the Community Development according to the percentage of salary allocation shown in Exhibits A hereof.
4. This Resolution shall take effect July 1, 2022.

Dated: August 8, 2022

Adopted: August 10, 2022

Exhibit A
WHITE PLAINS URBAN RENEWAL AGENCY
Community Development Program
POSITION TITLE AND SALARY SCHEDULE
Effective July 1, 2022

FULL TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
Rehabilitation Officer	CD 005 - 100%	12/7	Up to \$77,243
Community Development Assistant	CD 090 – 30% CD 005 - 70%	10/5	Up to \$19,570 Up to \$45,662
PART TIME POSITIONS			
Position Title	Funding Source	Grade/Step	Annual Salary
PT Rehabilitation Program Representative	CD 005	Hourly	\$30/hour, up to an annual maximum of \$10,000
PT Code Enforcement Officer(s)	CE 314	Hourly	Up to \$37.50/hour, up to an annual maximum of \$19,500 each
PT CD Analyst	CD 090	Hourly	Up to \$30/hour up to an annual maximum of \$24,000
PT Clerk	CD 005	Hourly	Up to \$20/hour, up to an annual maximum of \$24,000

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 05-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 06-2022

A RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN ESTOPPEL AGREEMENT FOR THE CONTRACT OF SALE FOR PRIVATE REDEVELOPMENT AMONG THE CITY OF WHITE PLAINS, THE WHITE PLAINS URBAN RENEWAL AGENCY, AND WP NORTH TOWER LLC AND WP SOUTH TOWER LLC, THE SUCCESSORS TO LCOR 55 BANK STREET LLC WITH RESPECT TO 55 AND 57 BANK STREET, AS AMENDED, INCLUDING AUTHORIZING THE EXTENSION OF TIME TO MARCH 7, 2023 TO INSTALL PARKING STACKERS TO PROVIDE THE REQUIRED 570 PARKING SPACES FOR THE PROJECT

WHEREAS, WP North Tower LLC (“North Tower”) AND WP South Tower LLC (“South Tower”) and LCOR 55 Bank Street LLC (“LCOR”) (collectively “the Redevelopers”) have requested, by letter dated August 3, 2022 from their attorney, William S. Null of Cuddy & Feder, LLP, that the Redevelopers be granted an extension of time for all the stackers to be installed at 55 and 57 Bank Street until March 7, 2023; and

WHEREAS, in order to obtain permanent financing for the Continuum project, LCOR, North Tower and South Tower have requested that the White Plains Urban Renewal Agency (“the Agency”) execute an estoppel certificate that identifies the LDA and the amendments, provides that there is no default other than the fact that all the stackers have not been installed and that the Agency has agreed that all of the stackers to provide 570 parking spaces must be installed by March 7, 2023; and

WHEREAS, the White Plains Common Council voted unanimously, on August 1, 2022, to authorize the Mayor, or his designee, to sign such estoppel certificate and authorize an extension of time to March 7, 2023 for LCOR to install the parking stackers; and

WHEREAS, executing such an estoppel certificate would be appropriate and in the best interests of the Agency to allow for the completion and continued operation of the Continuum project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agency hereby determines that the requested extension of time to March 7, 2023, by the Redevelopers to install enough stackers to provide 570 parking spaces at the Continuum project site at 55 and 57 Bank Street, is appropriate.
2. The Chairman of the Agency, or his designee, is hereby authorized to execute an appropriate estoppel certificate among the City, the Agency and North Tower and South

Tower as successors to LCOR in order to allow the Redevelopers to convert their construction mortgage into permanent financing.

3. This Resolution shall take effect immediately.

Dated: August 8, 2022

Adopted: August 10, 2022

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601

(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 06-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **August 10, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **August 10, 2022**.



Christopher N. Gomez
Executive Director

OMNIBUS TERMINATION

THIS OMNIBUS TERMINATION is hereby provided effective as of this 15th day of November, 2022 by **WHITE PLAINS URBAN RENEWAL AGENCY**, a public benefit corporation of the State of New York, having an office at 70 Church Street, White Plains, New York, 10601 ("**Agency**").

WHEREAS, Agency desires to cancel and terminate various terms, covenants, conditions and restrictions relating to the premises previously known as 200 Hamilton Avenue, and now known as Unit 1 and Unit 2 of the Hamilton Green Condominium located at 200 and 250 Hamilton Avenue, White Plains, NY, 10601 (Section 125.67 Block 5 Lots 1..1 and 1..2) more particularly described in Exhibit A.

NOW, THEREFORE, Agency agrees that the documents set forth on Schedule I hereto and all terms, covenants, conditions, and restrictions set forth therein are hereby terminated and no longer of any force or effect EXCEPT that the restrictions set forth in (i) condition and covenant paragraph Fifth of the Deed, item #2 on Schedule I, and (ii) Section 401(b) and applicable provisions of Sections 402 and 403 of the Contract, item #3 on Schedule I, shall not be affected or impaired hereby. The Agency further confirms it is not aware that any of the covenants numbered Second, Third, and Fourth of the Deed have been breached or otherwise violated and said covenants are no longer of any force or effect.

IN WITNESS WHEREOF, the parties have hereunto set their hand as of the date first written above.

**WHITE PLAINS URBAN RENEWAL
AGENCY**

By 
Name: Thomas M. Roach
Title: Mayor

APPROVED AS TO FORM

DATED 11/15/22

Sr. Asst. Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

ALL that certain plot, piece or parcel of land situate, lying and being in the City of White Plains, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., at the Northerly end of a curve having a radius of 20 feet, a central angle of 88 degrees 53 minutes 19 seconds and a length of 31.028 feet which curve connects the Northerly side of Hamilton Avenue with the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., as shown on a certain map entitled, "Map Showing Lands to Be Acquired By The City of White Plains for the laying out and widening of The Northern Arterial" which map is filed in the Westchester County Clerk's Office, Division of Land Records, as Map No. 16810;

RUNNING THENCE from said point of beginning in a Southeasterly direction along the arc of a curve to the left having a radius of 20 feet, a central angle of 88 degrees 53 minutes 19 seconds, a distance of 31.028 feet to a point on the Northerly side of Hamilton Avenue;

THENCE Easterly along the Northerly side of Hamilton Avenue and along the arc of a curve to the left having a radius of 4627.386 feet, a central angle of 4 degrees 29 minutes 13 seconds, a distance of 362.381 feet to a point at the Westerly end of a curve connecting the Northerly side of Hamilton Avenue with the Westerly line of Cottage Place as shown on said Map No. 16810;

THENCE Northwesterly along the said curve to the left which has a radius of 10 feet, a central angle of 89 degrees 38 minutes 28 seconds for a distance of 15.645 feet to a point on the Westerly side of Cottage Place;

THENCE along the Westerly side of Cottage Place, North 27 degrees 01 minute 19 seconds West, 384.52 feet to a point at the Southerly end of a curve connecting the westerly side of Cottage Place with the Southerly side of Barker Avenue as shown on said Map No. 16810;

THENCE Northwesterly along said curve to the left which has a radius of 25 feet, a central angle of 91 degrees 10 minutes 00 seconds, for a distance of 39.78 feet to a point on the Southerly side of Barker Avenue;

THENCE along the Southerly side of Barker Avenue, South 61 degrees 48 minutes 41 seconds West, 372.107 feet to the Easterly end of a curve connecting the Southerly side of Barker Avenue with the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., as shown on said Map No. 16810;

THENCE Southerly along said curve to the left which has a radius of 20 feet, a central angle of 100 degrees 16 minutes 52.9 seconds, for a distance of 35 feet to a point on the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd.;

THENCE Southerly along said Easterly side of Northern Arterial and along the arc of a curve to the right which has a radius of 1414 feet, a central angle of 14 degrees 27 minutes 52.8 seconds, for a distance of 356.97 feet to the Northerly end of a curve connecting the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., with the Northerly side of Hamilton Avenue, at the point or place of BEGINNING.

Schedule I
Terminated Documents

1. Declaration of Restrictions dated September 11, 1968, made by White Plains Urban Renewal Agency, recorded on September 17, 1968, in Liber 6808, Page 92.
With Regard Thereto:
 - i. Amendment No. 1, dated November 3, 1969, made by White Plains Urban Renewal Agency, recorded on November 7, 1969, in Liber 6893, Page 414.
 - ii. Amendment No. 2, dated February 5, 1970, made by White Plains Urban Renewal Agency, recorded on February 9, 1970, in Liber 6909, Page 631.
 - iii. Amendment No. 3, dated June 10, 1971, made by White Plains Urban Renewal Agency, recorded on June 11, 1971, in Liber 6992, Page 617.
 - iv. Amendment No. 4, dated May 18, 1972, made by White Plains Urban Renewal Agency, recorded on May 18, 1972, in Liber 7056, Page 485.
 - v. Amendment No. 5, dated August 14, 1973, made by White Plains Urban Renewal Agency, recorded on August 16, 1973, in Liber 7146, Page 796.
 - vi. Amendment No. 6, dated February 25, 1974, made by White Plains Urban Renewal Agency, recorded on April 26, 1974, in Liber 7192, Page 566.
 - vii. Amendment No. 7, dated April 4, 1975, made by White Plains Urban Renewal Agency, recorded on April 9, 1975, in Liber 7256, Page 155.
 - viii. Amendment No. 8, dated April 14, 1976, made by White Plains Urban Renewal Agency, recorded on April 14, 1976, in Liber 7322, Page 607.
 - ix. Amendment No. 9, dated November 9, 1977, made by White Plains Urban Renewal Agency, recorded on November 9, 1977, in Liber 7432, Page 1.
 - x. Amendment No. 10, dated June 4, 1979, made by White Plains Urban Renewal Agency, recorded on June 7, 1979, in Liber 7560, Page 166.
 - xi. Amendment No. 11, dated June 24, 1989, made by White Plains Urban Renewal Agency, recorded on July 9, 1986, in Liber 8484, Page 257.
 - xii. Amendment No. 12, dated October 11, 1996, made by White Plains Urban Renewal Agency, recorded on October 11, 1996, in Liber 11563, Page 78.
 - xiii. Amendment No. 13, dated November 6, 2000, made by White Plains Urban Renewal Agency, recorded on December 1, 2000, in Control No. 403110365 (collectively, "The Declaration")
2. Covenants and restrictions, conditions, agreements and right of reverter clause set forth in Deed dated June 10, 1971, made by White Plains Urban Renewal Agency, to W.P. Mall Corp., recorded on June 11, 1971, in Liber 6992, Page 716 (the "Deed").
3. Terms, covenants, conditions, provisions and agreements set forth in Contract for Redevelopment, dated November 14, 1968 made by and between White Plains Urban Renewal Agency and Hamilton Shopping Center, Inc., recorded on June 11, 1971, in Liber 6992, Page 577.
With Regard thereto:
 - i. Assignment of Contract dated June 10, 1971, made by Hamilton Shopping Center, Inc., assignor, to W. P. Mall Corp., assignee, recorded on June 11, 1971, in Liber 6992, Page 563.

ii. Addendum to Contract of Sale, dated June 10, 1971, made by and between White Plains Urban Renewal Agency and W.P. Mall Corp., recorded on June 11, 1971, in Liber 6992, Page 611 (collectively, "The Contract").

WHITE PLAINS URBAN RENEWAL AGENCY

RESOLUTION 07-2022

RESOLUTION OF THE WHITE PLAINS URBAN RENEWAL AGENCY AUTHORIZING THE CHAIRMAN, OR HIS DESIGNEE, TO EXECUTE AN OMNIBUS TERMINATION AGREEMENT RELATING TO THE PREMISES PREVIOUSLY KNOWN AS THE WHITE PLAINS MALL AT 200 HAMILTON AVENUE, AND NOW KNOWN AS UNIT 1 AND UNIT 2 OF THE HAMILTON GREEN CONDOMINIUM LOCATED AT 200 AND 250 HAMILTON AVENUE, WHITE PLAINS, NY

WHEREAS, The White Plains Urban Renewal Agency (the “Agency”) approved an Urban Renewal Plan for the Central Renewal Project, NY R-37 by resolution of the Agency dated July 14, 1964 and by resolution of the Common Council (“Common Council”) of the City of White Plains by resolution dated July 6, 1964; and

WHEREAS, the Agency designated certain redevelopers of Parcel Number 14, located at 200 Hamilton Avenue and within the Central Renewal Project, to redevelop the site with a shopping center; and

WHEREAS, a Contract for Redevelopment, dated November 14, 1968, made by and between the Agency and Hamilton Shopping Center, Inc., and recorded on June 11, 1971, contained terms, covenants, restrictions, conditions, provisions and agreements; and

WHEREAS, the Contract of Sale dated June 10, 1971 was assigned to W.P. Mall Corp and recorded on June 11, 1971; and

WHEREAS, the Deed dated June 10, 1971, made by White Plains Urban Renewal Agency, to W.P. Mall Corp., and recorded on June 11, 1971 contained terms, covenants, restrictions, conditions, provisions, agreements and a right of reverter clause; and

WHEREAS, an addendum to the Contract of Sale, dated June 10, 1971, made by and between White Plains Urban Renewal Agency and W.P. Mall Corp. was recorded on June 11, 1971; and

WHEREAS, January 6, 1976, Parcel No. 14, the White Plains Mall, at 200 Hamilton Avenue, received a Certificate of Occupancy and operated as a shopping center for the last fifty years; and

WHEREAS, the completed redevelopment of Parcel No. 14, the White Plains Mall at 200 Hamilton Avenue, should have received a Certificate of Completion from the Agency at the time the Certificate of Occupancy was issued; and

WHEREAS, The Urban Renewal Plan for the Central Renewal Project, Project No. NY R-37 in the City of White Plains expired on July 7, 2019; and

WHEREAS, in December 2021, the Common Council of the City of White Plains granted amended Site Plan Approval and amended Conceptual Development Plan Approval for the redevelopment of the White Plains Mall at 200 Hamilton Avenue into a mixed-use, transit-oriented development to be known as Hamilton Green; and

WHEREAS, the White Plains Mall at 200 Hamilton Avenue was demolished in October 2022; and

WHEREAS, the current owner of 200 Hamilton Avenue, W.P. Mall Realty, LLC, has entered into a contract of sale for the property now known as Unit 1 and Unit 2 of the Hamilton Green Condominium located at 200 and 250 Hamilton Avenue, White Plains, NY.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agency desires to cancel and terminate various terms, covenants, conditions and restrictions relating to the premises previously known as 200 Hamilton Avenue, and now known as Unit 1 and Unit 2 of the Hamilton Green Condominium located at 200 and 250 Hamilton Avenue, White Plains, NY, 10601 (Section 125.67 Block 5 Lots 1..1 and 1..2) and more particularly described in Exhibit A to the Omnibus Termination Agreement.
2. The Agency agrees that the documents set forth on Schedule I hereto and all terms, covenants, conditions, and restrictions set forth therein are hereby terminated and no longer of any force or effect EXCEPT that the restrictions set forth in (i) condition and covenant paragraph Fifth of the Deed, item #2 on Schedule I, and (ii) Section 401(b) and applicable provisions of Sections 402 and 403 of the Contract, item #3 on Schedule I, shall not be affected or impaired hereby. The Agency further confirms it is not aware that any of the covenants numbered Second, Third, and Fourth of the Deed have been breached or otherwise violated and said covenants are no longer of any force or effect.
3. The Chairman of the Agency, or his designee, is hereby authorized to execute the Omnibus Termination Agreement relating to the premises previously known as 200 Hamilton Avenue and now known as Unit 1 and Unit 2 of the Hamilton Green Condominium located at 200 and 250 Hamilton Avenue, White Plains, NY terminating all such covenants conditions and restrictions EXCEPT that the restrictions set forth in (i) condition and covenant paragraph Fifth of the Deed, item #2 on Schedule I, and (ii) Section 401(b) and applicable provisions of Sections 402 and 403 of the Contract, item #3 on Schedule I, shall not be affected or impaired hereby..

4. This Resolution shall take effect immediately.

Dated: November 14, 2022

Adopted: November 15, 2022

WHITE PLAINS URBAN RENEWAL AGENCY

70 Church Street, White Plains, New York 10601
(914) 422-1300 Fax: (914) 422-1301

CERTIFIED COPY

1. I am the duly qualified and acting Assistant Secretary of the White Plains Urban Renewal Agency (the "Agency"). I am the custodian of the minutes of the meetings of the Agency and am authorized to execute this certificate.
2. Attached hereto is a correct copy of **Resolution 07-2022**, (the "Resolution"), adopted at a meeting of the Agency held on **November 15, 2022** (the "Meeting"), which Resolution is now in full force and effect.
3. The Meeting was duly convened and held in accordance with law and the by-laws of the Agency, and proper notice of the Meeting was given. A legal quorum of the Agency was present throughout the Meeting and a legally sufficient number of members of the Agency duly voted for the adoption of the Resolution.
4. The authority delegated to the Chairman and the Resolution has not been altered or revoked in any way.
5. The seal that appears below is the official seal of the Agency and was duly affixed by me at the time I executed this certificate on **November 15, 2022**.



Christopher N. Gomez
Executive Director

OMNIBUS TERMINATION

THIS OMNIBUS TERMINATION is hereby provided effective as of this [] day of November, 2022 by **WHITE PLAINS URBAN RENEWAL AGENCY**, a public benefit corporation of the State of New York, having an office at 70 Church Street, White Plains, New York, 10601 ("Agency").

WHEREAS, Agency desires to cancel and terminate various terms, covenants, conditions and restrictions relating to the premises previously known as 200 Hamilton Avenue, and now known as Unit 1 and Unit 2 of the Hamilton Green Condominium located at 200 and 250 Hamilton Avenue, White Plains, NY, 10601 (Section 125.67 Block 5 Lots 1..1 and 1..2) more particularly described in Exhibit A.

NOW, THEREFORE, Agency agrees that the documents set forth on Schedule I hereto and all terms, covenants, conditions, and restrictions set forth therein are hereby terminated and no longer of any force or effect EXCEPT that the restrictions set forth in (i) condition and covenant paragraph Fifth of the Deed, item #2 on Schedule I, and (ii) Section 401(b) and applicable provisions of Sections 402 and 403 of the Contract, item #3 on Schedule I, shall not be affected or impaired hereby. The Agency further confirms it is not aware that any of the covenants numbered Second, Third, and Fourth of the Deed have been breached or otherwise violated and said covenants are no longer of any force or effect.

IN WITNESS WHEREOF, the parties have hereunto set their hand as of the date first written above.

**WHITE PLAINS URBAN RENEWAL
AGENCY**

By _____
Name:
Title:

EXHIBIT A

LEGAL DESCRIPTION OF REAL PROPERTY

ALL that certain plot, piece or parcel of land situate, lying and being in the City of White Plains, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., at the Northerly end of a curve having a radius of 20 feet, a central angle of 88 degrees 53 minutes 19 seconds and a length of 31.028 feet which connects the Northerly side of Hamilton Avenue with the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., as shown on a certain map entitled, "Map Showing Lands to Be Acquired By The City of White Plains for the laying out and widening of The Northern Arterial" which map is filed in the Westchester County Clerk's Office, Division of Land Records, as Map No. 16810;

RUNNING THENCE from said point of beginning in a Southeasterly direction along the arc of a curve to the left having a radius of 20 feet, a central angle of 88 degrees 53 minutes 19 seconds, a distance of 31.028 feet to a point on the Northerly side of Hamilton Avenue;

THENCE Easterly along the Northerly side of Hamilton Avenue and along the arc of a curve to the left having a radius of 4627.386 feet, a central angle of 4 degrees 29 minutes 13 seconds, a distance of 362.381 feet to a point at the Westerly end of a curve connecting the Northerly side of Hamilton Avenue with the Westerly line of Cottage Place as shown on said Map No. 16810;

THENCE Northwesterly along the said curve to the left which has a radius of 10 feet, a central angle of 89 degrees 38 minutes 28 seconds for a distance of 15.645 feet to a point on the Westerly side of Cottage Place;

THENCE along the Westerly side of Cottage Place, North 27 degrees 01 minute 19 seconds West, 384.52 feet to a point at the Southerly end of a curve connecting the westerly side of Cottage Place with the Southerly side of Barker Avenue as shown on said Map No. 16810;

THENCE Northwesterly along said curve to the left which has a radius of 25 feet, a central angle of 91 degrees 10 minutes 00 seconds, for a distance of 39.78 feet to a point on the Southerly side of Barker Avenue;

THENCE along the Southerly side of Barker Avenue, South 61 degrees 48 minutes 41 seconds West, 372.107 feet to the Easterly end of a curve connecting the Southerly side of Barker Avenue with the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., as shown on said Map No. 16810;

THENCE Southerly along said curve to the left which has a radius of 20 feet, a central angle of 100 degrees 16 minutes 52.9 seconds, for a distance of 35 feet to a point on the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd.;

THENCE Southerly along said Easterly side of Northern Arterial and along the arc of a curve to the right which has a radius of 1414 feet, a central angle of 14 degrees 27 minutes 52.8 seconds, for a distance of 356.97 feet to the Northerly end of a curve connecting the Easterly side of Northern Arterial, n/k/a Dr. Martin Luther King Jr. Blvd., with the Northerly side of Hamilton Avenue, at the point or place of BEGINNING.

Schedule I
Terminated Documents

1. Declaration of Restrictions dated September 11, 1968, made by White Plains Urban Renewal Agency, recorded on September 17, 1968, in Liber 6808, Page 92.
With Regard Thereto:
 - i. Amendment No. 1, dated November 3, 1969, made by White Plains Urban Renewal Agency, recorded on November 7, 1969, in Liber 6893, Page 414.
 - ii. Amendment No. 2, dated February 5, 1970, made by White Plains Urban Renewal Agency, recorded on February 9, 1970, in Liber 6909, Page 631.
 - iii. Amendment No. 3, dated June 10, 1971, made by White Plains Urban Renewal Agency, recorded on June 11, 1971, in Liber 6992, Page 617.
 - iv. Amendment No. 4, dated May 18, 1972, made by White Plains Urban Renewal Agency, recorded on May 18, 1972, in Liber 7056, Page 485.
 - v. Amendment No. 5, dated August 14, 1973, made by White Plains Urban Renewal Agency, recorded on August 16, 1973, in Liber 7146, Page 796.
 - vi. Amendment No. 6, dated February 25, 1974, made by White Plains Urban Renewal Agency, recorded on April 26, 1974, in Liber 7192, Page 566.
 - vii. Amendment No. 7, dated April 4, 1975, made by White Plains Urban Renewal Agency, recorded on April 9, 1975, in Liber 7256, Page 155.
 - viii. Amendment No. 8, dated April 14, 1976, made by White Plains Urban Renewal Agency, recorded on April 14, 1976, in Liber 7322, Page 607.
 - ix. Amendment No. 9, dated November 9, 1977, made by White Plains Urban Renewal Agency, recorded on November 9, 1977, in Liber 7432, Page 1.
 - x. Amendment No. 10, dated June 4, 1979, made by White Plains Urban Renewal Agency, recorded on June 7, 1979, in Liber 7560, Page 166.
 - xi. Amendment No. 11, dated June 24, 1989, made by White Plains Urban Renewal Agency, recorded on July 9, 1986, in Liber 8484, Page 257.
 - xii. Amendment No. 12, dated October 11, 1996, made by White Plains Urban Renewal Agency, recorded on October 11, 1996, in Liber 11563, Page 78.
 - xiii. Amendment No. 13, dated November 6, 2000, made by White Plains Urban Renewal Agency, recorded on December 1, 2000, in Control No. 403110365 (collectively, "The Declaration")
2. Covenants and restrictions, conditions, agreements and right of reverter clause set forth in Deed dated June 10, 1971, made by White Plains Urban Renewal Agency, to W.P. Mall Corp., recorded on June 11, 1971, in Liber 6992, Page 716 (the "Deed").
3. Terms, covenants, conditions, provisions and agreements set forth in Contract for Redevelopment, dated November 14, 1968 made by and between White Plains Urban Renewal Agency and Hamilton Shopping Center, Inc., recorded on June 11, 1971, in Liber 6992, Page 577.
With Regard thereto:
 - i. Assignment of Contract dated June 10, 1971, made by Hamilton Shopping Center, Inc., assignor, to W. P. Mall Corp., assignee, recorded on June 11, 1971, in Liber 6992, Page 563.

ii. Addendum to Contract of Sale, dated June 10, 1971, made by and between White Plains Urban Renewal Agency and W.P. Mall Corp., recorded on June 11, 1971, in Liber 6992, Page 611 (collectively, "The Contract").

APPENDIX B

Subject to the provisions of article fifteen of this chapter, an agency is authorized to plan and undertake one or more urban renewal projects and shall have the powers necessary or convenient to carry out and effectuate such project or projects and the purposes and provisions of this article and article fifteen of this chapter, including but not limited to the following powers: (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to have perpetual succession; (4) to make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions; (5) to make and alter by-laws for its organization and internal management; (6) to acquire or contract to acquire from any person, firm, corporation or government, by subsidy, contribution, gift, grant, bequest, devise, purchase, pursuant to the provisions of the eminent domain procedure law, or otherwise, real or personal property or any interest therein, including but not limited to air rights, and easements or other rights of user, necessary for the use and development of such air rights, to be developed as air rights sites for the elimination of the blighting influences over an area or areas consisting principally of land in streets, alleys, highways, and other public rights of way, railway or subway tracks, bridge or tunnel approaches or entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences, provided, however, that the acquisition of any air rights over railroad tracks, rights-of-way or facilities and easements or other rights of user necessary for the use and development of such air rights are to be subject to the provisions of section fifty-one-a of the railroad law; (7) to appoint officers, agents and employees, prescribe their duties, fix their compensation and delegate to one or more of such officers, agents or employees such powers or duties as it may deem proper; (8) with the consent of the municipality to use agents, employees, and facilities of the municipality, paying to the municipality its agreed proportion of the compensation or costs; (9) to insure or provide for the insurance of its property or operations as required by law and also against such other risks as it may deem advisable; (10) to invest any moneys held in reserve or sinking funds or any moneys not required for immediate use or disbursement at the discretion of the agency in obligations of the state or the United States government or obligations of which the principal and interest are guaranteed by the state or the United States government; (11) to cooperate with the federal government and apply for and accept advances, loans, grants, subsidies, contributions and any other form of financial assistance from the federal government, or from the state, county, municipality or other public body or from any sources public or private, for the purposes of this article and article fifteen of this chapter; and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; provided, however, that any application for a loan, subsidy or grant to the federal government or the state shall be subject to the prior approval of the governing body; and to include in any contract for financial assistance with the federal government for or with respect to an urban renewal project, or with respect to any other program authorized under the federal housing act of nineteen hundred forty-nine, and all other federal laws amendatory and supplemental thereto, such conditions imposed pursuant to federal laws as the agency may deem reasonable and appropriate and which are not inconsistent with the purposes of this article or article fifteen of this chapter. Such conditions may include but shall not be limited to (a) provisions requiring payments of not less than certain minimum salaries and wages to architects, engineers, technicians, laborers, mechanics and other personnel; (b) provisions prohibiting rebates and kickbacks; and (c) provisions requiring contractors and subcontractors to furnish reports and other data to the secretary of labor; (d) provisions requiring payment of actual reasonable moving and related expenses as well as supplemental and additional payments, to individuals, families, business concerns or non-profit organizations due to displacement, so that disproportionate injuries are not suffered as a result of such program, as may be required by and pursuant to a federal financial assistance contract. (12) to apply for and accept the local grants-in-aid required under such federal laws, in the form of appropriations, cash, municipal services and facilities, or any other form; (13) to borrow money and issue bonds or other obligations; (14) to provide for demolition and clearance of property, improvement of property, or development and use of air rights and concomitant easements or other rights of user necessary for the use and development of such air rights and air rights sites, including the remedying

of unsuitable topographical, subsoil or other physical conditions which impede development within the urban renewal area, and construction of foundations and platforms as well as other necessary sitework, by the agency or by the municipality or by the persons, firm or corporation to whom such property, air rights and easements or air rights site, is sold or leased, provided, however, that any such work upon or affecting railroad property, right-of-way or facilities shall be subject to the approval of and joint supervision by the railroad company or companies affected. No work upon or affecting railroad property, right-of-way or facilities shall be progressed without the approval of the railroad company or companies, and in connection with all such projects upon or affecting railroad property, right-of-way or facilities appropriate standards for safety of operations, ventilation and lighting shall be subject to the approval of the railroad company or companies affected; (15) to develop, test and report methods and techniques and carry out demonstration and other activities in relation to or in connection with one or more programs of urban renewal or other programs relating to the arrest and prevention of conditions of deterioration or blight. In carrying out such demonstration and other activities an agency may itself reconstruct, repair, rehabilitate or otherwise improve such real property or may sell, lease or otherwise dispose of real property, for the effectuation of such activities or purposes by the purchaser or lessee thereof, pursuant to the provisions of section five hundred fifty-six of this article; (16) to prepare or cause to be prepared a general neighborhood renewal plan for an area consisting of an urban renewal area or areas, together with any adjoining areas having specially related problems, and which is of such size that urban renewal activities may have to be initiated in stages; (17) to prepare or cause to be prepared a community-wide plan or program for urban renewal which shall conform to the comprehensive community plan for the development of the municipality as a whole; (18) to conduct examinations and investigations, hear testimony and take proof, under oath at public or private hearings on any material matters. (19) to convey, assign, grant or otherwise transfer all of its right, title and interest in any urban renewal program, or part thereof, or any right, title or interest in or to any real or personal property, contract, claim or other interest acquired or held by it in connection with such program, or part thereof, with or without consideration, to the municipality, subject to the prior approval of the governing body, upon such terms and conditions as may be reasonable and appropriate to effectuate such transfer not inconsistent with the purposes of this article or article fifteen of this chapter or any contract for financial assistance from the federal government, or from the state or other public body, for any of the purposes of such articles or either of them.

APPENDIX C

BY-LAWS
of the
WHITE PLAINS URBAN RENEWAL AGENCY

ARTICLE I
THE AGENCY

Section 1 - Name of Agency: The name of the agency is the "White Plains Urban Renewal Agency."

Section 2 - Members: The agency consists of five members, pursuant to Chapter 573 of the Laws of 1963 of the State of New York.

Section 3 - Seal of the Agency: The seal of the agency shall be in the form of a circle and shall bear the inscription "White Plains Urban Renewal Agency, White Plains, New York, and the year of its incorporation, to wit, 1963."

Section 4 - Office of the Agency: The office of the agency shall be at 255 Main Street, White Plains, New York, or at such other place or places as the agency may, from time to time, designate.

ARTICLE II
OFFICERS AND EMPLOYEES

Section 1 - Officers: The officers of the agency shall be a chairman, vice chairman and secretary, who shall be elected at the annual meeting of the agency from among the members of the agency and shall hold office for one (1) year thereafter or until their successors are elected and qualified; and a Treasurer, as described in Section 6 hereof; and a Records Management Officer, as described in Section 8, who shall be appointed by the agency and serve at the pleasure of the agency.

Section 2 - Chairman: The Chairman shall preside at all meetings of the agency, appoint committees and perform such other duties

as may be required by law or as may be ordered by the agency, the Chairman shall sign all bonds, contracts, deeds, leases or other instruments made by the agency.

Section 3 - Vice Chairman: The Vice Chairman shall act in the capacity of the Chairman in his absence and shall perform all the duties of the Chairman, including the signing of documents as provided above in the absence or incapacity of the Chairman and during a vacancy in the office of Chairman.

Section 4 - Secretary and Assistant Secretary: The Secretary shall keep the records of the agency and shall record the names of the individuals in attendance and record all votes and shall keep a record of the proceedings of the agency in a minute book to be kept for such purpose. He shall keep in safe custody the seal of the agency and shall have the power to affix said seal to all contracts or instruments authorized to be executed by the agency and to attest to the authenticity thereof, and to certify as to the authenticity of copies thereof, and shall perform such other duties as the agency may determine. The agency shall also appoint or contract for an Assistant Secretary who, in the absence or disability of the Secretary,, shall perform all of the duties of the Secretary as set forth above.

Section 5 - Executive Director: The agency shall appoint an Executive Director who shall be the administrative head of the agency. He shall see that the plans, orders, directives, rules and contracts of the agency are faithfully executed. He shall attend all meetings of the agency. He

shall carry out all official correspondence and is authorized to prepare, sign and submit all applications, reports, forms, documents and records required or authorized by the agency. The Executive Director shall be authorized to requisition and purchase commodities where the cost of same shall not exceed \$5,000.00 and to contract for services where the cost of same shall not exceed \$7,000.00. The Executive Director is hereby authorized to effect, or in the case of site improvement contract awarded by the City, to concur in, changes in previously awarded demolition, site clearance and site improvement contracts, by the authorizing of Change Orders thereto, up to the following amounts:

- i) Demolition - \$7,000.00
- ii) Site clearance - \$7,000.00
- iii) Site improvements - \$10,000,

but in no event shall any Change Order for demolition, site clearance or site improvements amount to more than 10% of the original contract amount. The transfer of any funds necessary to carry out the work provided by such Change Order shall be made upon requisition by the Commissioner of Public Works to the Agency and approval of such requisition by the Executive Director.

The Executive Director shall inform the agency at its next regularly scheduled meeting of any change orders authorized by him since its previous meeting. The Executive Director shall serve at the pleasure of the agency. He shall receive such compensation as shall be fixed by the agency and may be bonded as the agency may deem necessary.

Section 6 - Treasurer and Assistant Treasurer: The Treasurer shall be responsible to the agency and shall have care and custody of all funds of the agency and shall deposit the same in the name of the Agency in such bank or banks as the agency shall select. He shall disburse funds on behalf of the agency and shall have the authority to issue checks when he is in receipt of a payment voucher duly certified by the Executive Director or by the Budget Officer who shall be appointed by the Executive Director. He shall also jointly sign all bonds of the agency with the Chairman. The agency shall also appoint or contract for an Assistant Treasurer who, in the absence or disability of the Treasurer, shall perform the duties of the Treasurer as set forth above, except for the signing of bonds of the agency.

Section 7 - Attorney and Assistant Attorney: The agency shall appoint or contract for an Attorney who shall be responsible to the agency. He shall be the legal advisor to the agency and the Executive Director, the Treasurer and other officials of the agency. He shall furnish opinions or written reports on any question of law involving the agency. He shall draw or approve all bonds, contracts, deeds or other instruments to which the agency is a party or in which it has an interest. The agency may also appoint or contract for an Assistant Attorney who, in the absence or disability of the Attorney, shall perform all the duties of the Attorney as set forth above.

Section 8 - Records Management Officer and Assistant Records Management Officer: The Agency shall appoint a Records Management Officer who

shall be an officer of the Agency. The Records Management Officer shall be responsible for the agency's compliance with the requirements of Article 54-A of the Arts and Cultural Affairs Law. The agency shall also appoint an Assistant Records Management Officer who, in the absence or disability of the Records Management Officer, shall perform all the duties of the Records Management Officer.

Section 9 - Other Employees: Such other employees as the agency shall determine are necessary for the proper administration of the urban renewal program shall be appointed and shall be subject to removal by the Executive Director.

Section 10 - Powers and Duties of the Members: The powers and duties of the members of the agency shall be as set forth in Article XV-A of the General Municipal Law of the State of New York.

The members of the agency shall perform such duties as are incumbent upon them by reason of their office and shall be given such other responsibilities and duties as are incidental to the office and which may from time to time be authorized by resolution of the agency.

ARTICLE III

MEETINGS

Section 1 - Annual Meeting: The annual meeting of the agency shall be held on the third Tuesday in July or as soon thereafter as may be feasible, for the purpose of receiving the annual report of the Executive Director, election of officers and for the conduct of such other business as may come before the meeting.

Section 2 - Regular Meetings: Regular meetings of the agency shall be held on the third Tuesday of the month or as needed for the transaction of business of the agency. In the event that the date of a regular meeting shall fall on a legal holiday the meeting shall be held on a day as close thereto as possible, said date to be determined by the Chairman. Notice of such meeting with an agenda shall be delivered to each of the members at least four (4) days in advance of such meeting.

Section 3 - Special Meetings: Special meetings may be called by the Chairman when he deems it advisable and shall be called by him at the request of any two members of the agency for the purpose of transacting any business designated in the call. At the special meeting the business to be transacted shall be only that stated in the notice of such meeting, except that any other business may be transacted at such meeting by the unanimous consent of all the members of the agency.

The call for a special meeting may be delivered to any member of the agency or left at the residence or place of business or may be mailed to his business or home address and such delivery or mailing must be performed at least two (2) days prior to the date of such meeting.

Section 4 - Quorum: At all meetings of the agency the following shall be the order of business:

- A. Roll Call
- B. Reading and approval of the minutes of the previous meeting and any intervening special meeting

- C. Communications
- D. Report of the Executive Director
- E. Reports of committees
- F. Unfinished business
- G. New business
- H. Adjournment

ARTICLE IV
AMENDMENTS

Section 1 - Amendments to By-Laws: The by-laws may be amended at any stated or special meeting by a majority of the members of the agency provided the proposed amendment shall have been submitted in writing to the members of the agency at least five (5) days prior to the stated or special meeting at which a vote is taken on said proposed amendment.

APPENDIX D

Confidential Evaluation of Board Performance

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members have a shared understanding of the mission and purpose of the Authority.				
The policies, practices and decisions of the Board are always consistent with this mission.				
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.				
The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually.				
The Board sets clear and measurable performance goals for the Authority that contribute to accomplishing its mission.				
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.				
Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues.				
Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions.				
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.				
The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law.				
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.				
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.				
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.				
The Board exercises appropriate oversight of the CEO and other executive staff, including setting performance expectations and reviewing performance annually.				
The Board has identified the areas of most risk to the Authority and works with management to implement risk mitigation strategies before problems occur.				
Board members demonstrate leadership and vision and work respectfully with each other.				

Date Completed: _____