CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY

<u>APPLICATION</u>

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the City of Albany Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.
TO: CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY c/o Department of Economic Development 21 Lodge Street Albany, New York 12207
This application by applicant respectfully states:
APPLICANT: Park South Partners LLC
APPLICANT'S ADDRESS: 255 Washington Avenue Extension
CITY: Albany STATE: New York ZIP CODE: 12205
PHONE NO.: 862-6600 FAX NO.: 862-6610 E-MAIL: towens@tricityrentals.com
NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:
IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:
NAME OF ATTORNEY: Paul Goldman, Esq.
ATTORNEY'S ADDRESS: 210 Washington Avenue Extension
CITY: Albany STATE: New York ZIP CODE: 12203
PHONE NO.: 431-0941 FAX NO.: 694-4821 E-MAIL: qoldmanpllc.com
NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

- 1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
- 2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
- 3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
- 4. If more space is needed to answer any specific question, attach a separate sheet.
- 5. When completed, return eight (8) copies of this application to the Agency at the address indicated on the first page of this application.
- 6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
- 7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
- 8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
- 9. The Agency has established an application fee of One Thousand Five Hundred Dollars (\$1,500) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE

ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.

FOR AGENCY USE ONLY

1.	Project Number	
2.	Date application Received by Agency	, 20
3.	Date application referred to attorney for review	, 20
4.	Date copy of application mailed to members	, 20
5.	Date notice of Agency meeting on application posted	, 20
6.	Date notice of Agency meeting on application mailed	. 20
7.	Date of Agency meeting on application	. 20
8.	Date Agency conditionally approved application	. 20
9.	Date scheduled for public hearing	, 20
10.	Date Environmental Assessment Form ("EAF") received	, 20
<u>I1.</u>	Date Agency completed environmental review	. 20
12.	Date of final approval of application	, 20

SUMMARY OF PROJECT

Applicant:	Park South	Partners LLC	
Contact Person:	Timothy R.	Owens	
Phone Number:	(518) 862-	6600	
Occupant:	various re	sidential/ret	ail tenants
Project Location: Approximate Size of Description of Project * see below	Avenue and Project Site: 163	160 Morris St Morris St. (2 58 acres); 33	ew Scotland Avenue, 33 New Scotland creet (2.25 acres); 11 New Scotland Ave. New Scotland Ave. (0.69 acres); (0.43 acres).
Type of Project:	☐ Manufacturing		☐ Warehouse/Distribution
	☐ Commercial		☐ Not-For-Profit
	☑ Other-Specify	residential/	retail
Employment Impact:	Existing Jobs 0		
	New Jobs 11		
Project Cost: \$ 50,72	1,000		
Type of Financing:	☐ Tax-Exempt	☐ Taxable	Straight Lease
Amount of Bonds Requ	ested: \$ <u>n/a</u>		
Estimated Value of Tax	x-Exemptions:		
Mortga Real Pr	Sales and Compensage Recording Taxes: roperty Tax Exemption please specify):	ons:	\$\frac{1,899,400}{500,000}\$\frac{500,000}{\$15,919,928}\$\$\$

^{*} Acquisition of 163 Morris St., 11 New Scotland Ave., 33 New Scotland Ave. and 160 Morris St.; construction of 256 apartment units and retail space; and installation thereon of various personal property, furniture, fixtures and equipment.

l.	INFO (HER	RMATIC EINAFT	ON CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT ER, THE "COMPANY").
	A.	<u>ldentit</u>	<u>y of Company:</u> Company Name: Park South Partners LLC
			Present Address: 255 Washington Avenue Extension, Albany, NY
			Zip Code: 12205
			Employer's ID No.: applied for 46-3393252
		2.	If the Company differs from the Applicant, give details of relationship: n/a
		3.	Indicate type of business organization of Company:
			a Corporation (If so, incorporated in what country? What State? Date Incorporated? Type of Corporation? Authorized to do business in New York? Yes; No).
			b Partnership (if so, indicate type of partnership, Number of general partners, Number of limited partners).
			c. X Limited liability company, Date created? August 13, 2013.
			d Sole proprietorship
		4. organiza See a	Is the Company a subsidiary or direct or indirect affiliate of any other tion(s)? If so, indicate name of related organization(s) and relationship: ttached list of affiliates.
1	В.	Manager	ment of Company:
		l. for each	List all owners, officers, members, directors and partners (complete all columns

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Norman Massry Morris Massry		see list of affiliated companies attached hereto.

2.	Is the Company or management	of the Company	now a plaintiff or a	defendant in
any civil	or criminal litigation? Yes	; No <u>x</u> .		

- 3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes ____; No _x__.
- 4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes $\underline{\hspace{1cm}}$; No $\underline{\hspace{1cm}}$. (If yes to any of the foregoing, furnish details in a separate attachment).
- 5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

- 1. Principal owners of Company: Is Company publicly held? Yes ____; No _x ___. If yes, list exchanges where stock traded:
- 2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Norman Massry	255 Washington Ave. Ex Albany NY 12205	t.
Morris Massry	255 Washington Ave. Ex Albany NY 12205	t.

I).	Company'	's Princi	pal Bank(s	s) of account
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11.	DATA	REGAR	DING	PROPOSED	PROJECT
11.	$D \cap D \cap D$	KLOWE	טווע		

- A. Summary: (Please provide a brief narrative description of the Project.)
 Acquisition of a leasehold interest in those certain parcels of land located at 160 Morris St., 163 Morris Street, 11 New Scotland Avenue, and 33 New Scotland Avenue, construction thereon of +/- 256 residential apartments and 25,000+/- sq. ft. retail; and installation Bhere to can well repeat fit-up, finishes, furniture,
 - fixtures and equipment.

 Street Address 160 Morris St., 163 Morris St., 11 New Scotland
 - 2. City of Albany Ave. and 33 New Scotland Ave.
 - 3 Town of
 - 4. Village of
 - 5. County of Albany

C. Project Site:

1.

- Are there existing buildings on project site? Yes X_; No____.
 a. If yes, indicate number and approximate size (in square feet) of each existing building: various residential structures per final approved site plan
 - b. Are existing buildings in operation? Yes x; No ____.

 If yes, describe present use of present buildings: residential housing
 - c. Are existing buildings abandoned? Yes $\underline{\times}$; No $\underline{\hspace{0.5cm}}$. About to be abandoned? Yes $\underline{\times}$; No $\underline{\hspace{0.5cm}}$. If yes, describe: residential housing and occupants are in the process of being relocated.
 - d. Attach photograph of present buildings.

	3.	Utilities serving project site: Water-Municipal: City of Albany
		Other (describe) Sewer-Municipal: City of Albany
		Other (describe) Electric-Utility: National Grid
		Other (describe) Heat-Utility: National Grid
	4.	Other (describe) Present legal owner of project site: Albany Medical Center
		a. If the Company owns project site, indicate date of purchase:
		signed with owner to purchase the Project site? Yes x; No If yes, indicate date option signed with owner:, 20; and the date the option
		expires:
	5.	a. Zoning District in which the project site is located:Park South Planned Development Overlay District
		b. Are there any variances or special permits affecting the site? Yes; No _x If yes, list below and attach copies of all such variances or special permits:
Б	D '11'	
D.	Buildir 1.	bgs: Does part of the project consist of a new building or buildings? Yes $\frac{x}{x}$; No lf yes, indicate number and size of new buildings: Sidential buildings and 2 buildings with retail on 1st floor
		residential on remaining 5 floors.
	2. buildin renova	Does part of the project consist of additions and/or renovations to the existing gs? Yes; No _x If yes, indicate the buildings to be expanded or ted, the size of any expansions and the nature of expansion and/or renovation:
	3. buildin	Describe the principal uses to be made by the Company of the building or gs to be acquired, constructed or expanded: residential housing

Descr	iption of the Equipment:
1.	Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes x; No If yes, describe the Equipment: various tenant furniture, fixtures and equipment
2.	With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes; No_x If yes, please provided detail:
3.	Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: Furniture, fixtures and equipment for residential apartments and retail stores
Projec	et Use:
1.	What are the principal products to be produced at the Project? n/a
2.	What are the principal activities to be conducted at the Project? residential apartments
3. retail	Does the Project include facilities or property that are primarily used in making sales of goods or services to customers who personally visit such facilities? Yes No x. If yes, please provide detail:
Ther	e will be $+/-$ 25,000 sq. ft. retail for the entire Project
4. be exp	If the answer to question 3 is yes, what percentage of the cost of the Project will bended on such facilities or property primarily used in making retail sales of goods vices to customers who personally visit the Project?% n/a

E.

F.

5. If the 33.33%, indic	e answer to question 3 is yes, and the answer to question 4 is more than cate whether any of the following apply to the Project: n/a
a.	Will the Project be operated by a not-for-profit corporation? Yes; No If yes, please explain: n/a
b.	Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes; No If yes, please explain: n/a
c.	Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes; No If yes, please explain: n/a
d.	Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes; No If yes, please provide detail: n/a
e. -	Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households
	receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes; No If yes, please explain: n/a
Project prese	answers to any of subdivisions c. through e. of question 5 is yes, will the rve permanent, private sector jobs or increase the overall number of rivate sector jobs in the State of New York? Yes; No If yes, if n/a

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes; No_x If yes, please explain:		
8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes; No_x If yes, please provide detail:		
9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project: n/a		
a. Is the Project reasonably necessary to preserve the competitive position of the Company on such Project Occupant in its industry? Yes; No If yes, please provide detail: n/a		
b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes; No If yes, please provide detail: n/a		
Other Involved Agencies:		
1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals. Albany Common Council, Albany Planning Board, ESDC. City of Albany Zoning Board of Appeals		
2. Describe the nature of the involvement of the federal, state or local agencies described above: permits and approvals.		

G.

	1. Has construction work on this project begun? Yes; No x If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:
	2. Please indicate amount of funds expended on this project by the Company in the past three (3) years and the purposes of such expenditures: None.
1.	Method of Construction After Agency Approval:
	1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project? Yes ; No
	2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes_x; No
COMPLETE	DRMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR ANY PORTION OF THE PROJECT).
Α.	Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes X ; No If yes, please complete the following for each existing or proposed tenant or subtenant: The Project is intended to be leased. 1. Sublessee name: Present Address: City: State: Zip: Employer's ID No.: Sublessee is: Corporation: Partnership: Sole Proprietorship Relationship to Company: Percentage of Project to be leased or subleased: Use of Project intended by Sublessee: Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes___; No___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2.	Sublessee name: Present Address:			
		Stata:	7in:	
	City: Employer's ID No.:	State:	Zip:	
	Sublessee is:			
		Dortnarshine	Colo Deoprioto cabin	
	Relationship to Compar		Sole Proprietorship	
	Percentage of Project to	•	1.	
	Use of Project intended		1:	
	Date of lease or subleas			
	Term of lease or subleas			
			is sublessee be primar	the result to
	making retail sales of Project? Yes; No	goods or services to o	customers who personal rovide on a separate atta (4) through (6) with resp	lly visit the achment (a)
3.	Sublessee name:			
	Present Address:			
	City:	State:	Zip:	
	Employer's ID No.:			
		poration: Partr	nership: Sole Pro	prietorship
	Relationship to Compar		,	
	Percentage of Project to	be leased or sublease	i :	
	Use of Project intended			
	Date of lease or subleas	se to Sublessee:		
	Term of lease or sublea	se to Sublessee:		
	Will any portion of th	he space leased by th	iis sublessee be primar	ily used in
	making retail sales of	goods or services to	customers who personal	lly visit the
	Project? Yes; No	If yes, please p	rovide on a separate atta	achment (a)
	details and (b) the ansy sublessee.	vers to questions II(F)	(4) through (6) with resp	pect to such

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? 0%

IV. Employment Impact

A. Indicate below the number of people presently employed at the project site and the number that will be employed at the project site at end of the first and second years after the project has been completed (Do not include construction workers). Also indicate below the number of workers employed at the project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

		TYPE OF EMPLO			
	PROFESSIONAL MANAGERIAL	SKILLED	SEMI- SKILLED	UNSKILLED	TOTALS
Present Full Time					
Present Part Time		SEE ATTA	CHED EMPLO	YMENT SCHED	ULE
Present Seasonal					
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

B. Please prepare a separate attachment describing in detail the types of employment at the project site. Such attachment should describe the activities or work performed for each type of employment.

V. Project Cost See attached Project Cost Chart

A. <u>Anticipated Project Costs</u>. State the costs reasonably necessary for the acquisition of the project site and the construction of the proposed project including the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Cost	<u>Amount</u>
Land	\$ 2,100,000
Buildings	\$47,485,000
Machinery and equipment costs	\$
Utilities, roads and appurtenant costs	\$
Architects and engineering fees	\$
Costs of Bond issue (legal, financial	

Constr		inting) can fees and interest	<u>\$ 455,</u> 000	
	(if app	licable)	\$ 681,000	
Other	(specify)		\$ \$	
			\$ \$	
	TIOM .		· · · · · · · · · · · · · · · · · · ·	
	TOTA	L PROJECT COST	\$ <u>50,721,</u> 000	
B. Yes	Have a	any of the above expenditures alrea x. (If yes, indicate particular.)	dy been made by applicant?	
	, 110	. (11 yes, moreate particular.)		
<u>BENE</u>	FITS EX	KPECTED FROM THE AGENCY		
A.	Financ	ing		
	1.	Is the applicant requesting that the	he Agency issue bonds to assist in financing the	
		project? Yes; No _x If		
		a. Amount of loan requeste		
		b. Maturity requested:	_Years. n/a	
	2.	Is the interest on such bonds taxation? Yes; No _x	intended to be exempt from federal income	
	3.		s, will any portion of the Project be used for any	
		of the following purposes: n/a		
		a. retail food and beverageb. automobile sales or servi	services: Yes; No	
	b. automobile sales or service: Yes; No c. recreation or entertainment: Yes ; No			
	d. golf course: Yes; No			
		e. country club: Yes; f. massage parlor: Yes	N0 · No	
	f. massage parlor: Yes; No g. tennis club: Yes; No			
	h. skating facility (including roller			
i. skating, skateboard and ice skating): Yes; Noj. racquet sports facility (including				
			court): Yes; No	
		k. hot tub facility: Yes	_; No	
		l. suntan facility: Yes	; No	
		m. racetrack: Yes; No_		
	4.		e questions contained in question 3 is yes, please	
		furnish details on a separate attac	chment. n/a	

٧.

	٥.	Is the Project located in the City's federally designated Enterprise Zone? Yes; $N_0 \times$
	6.	Is the applicant requesting the Agency to issue federally tax-exempt Enterprise Zone bonds? Yes; No_x
B.	Tax Be	<u>efits</u>
	1. availabl	Is the applicant requesting any real property tax exemption that would not be to a project that did not involve the Agency? Yes x ; No
	2. or more financir	Is the applicant expecting that the financing of the Project will be secured by one mortgages? Yes x; No If yes, what is the approximate amount of g to be secured by mortgages? \$\frac{40}{,000},000
	If yes,	Is the applicant expecting to be appointed agent of the Agency for purposes of payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X ; No what is the approximate amount of purchases which the applicant expects to be from the N.Y.S. Sales and Compensating Use Taxes? \$ 47,485,000
	4. connect exempti	What is the estimated value of each type of tax-exemption being sought in on with the Project? Please detail the type of tax-exemption and value of the on.
		A. N.Y.S. Sales and Compensating Use Taxes: b. Mortgage Recording Taxes: c. Real Property Tax Exemptions: d. Other (please specify): S S S S S S S S S S S S S
	Regulat	Are any of the tax-exemptions being sought in connection with the Project tent with the Agency's tax-exemption policy contained in its Rules and ons? Yes X; No If yes, please explain. Oplicant is requesting a payment in lieu of tax agreement ant to the attached proposed PILOT Schedule.
	6. No <u>x</u>	s the Project located in the City's state designated Empire Zone? Yes;
consist of a list	n perform st and de created,	Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that a cost/benefit analysis of undertaking the Project. Such information should tailed description of the benefits of the Agency undertaking the Project (e.g., types of jobs created, economic development in the area, etc.). Such information list and detailed description of the costs of the Agency undertaking the Project

(e.g., tax revenues lost, buildings abandoned, etc.).

- VI. <u>REPRESENTATIONS BY THE APPLICANT</u>. The applicant understands and agrees with the Agency as follows:
 - A. <u>Job Listings</u>. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
 - B. <u>First Consideration for Employment</u>: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
 - C. <u>City Human Rights Law</u>. The Applicant agrees to endeavor to comply with the provisions of Article XI, Division 2 of the City Code, entitled "The Omnibus Human Rights Law". The Applicant understands that it is not subject to the provisions of The Omnibus Human Rights Law.
 - D. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
 - F. <u>Annual Employment Reports</u>: The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
 - G. <u>Absence of Conflicts of Interest</u>: The applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

PARK SOUTH PARTNERS LLC
(Applicant)

BY. Imothy Wend
Name: Culturge of the presentative

NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 18 THROUGH 21 HEREOF BEFORE A NOTARY PUBLIC <u>AND</u> MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 22

(If Applicant is a Corporation)

STATE OF)	
STATE OF	
deposes and says	that he is the
(Name of chief executive of applicant)	
of(Title) (Company Name)	_•
the contents thereof; and that the same is t Deponent further says that the reason this v is because the said company is a corporatio the said application which are not stated deponent has caused to be made concerning	ication; that he has read the foregoing application and knows rue and complete and accurate to the best of his knowledge, erification is made by the deponent and not by said company in. The grounds of deponent's belief relative to all matters in upon his own personal knowledge are investigations which gethe subject matter of this application as well as information duties as an officer of and from the books and papers of said
	(officer of applicant)
Sworn to before me thisday of, 20	
(Notary Public)	

(If applicant is sole proprietor)

STATE OF) COUNTY OF)	
COUNTY OF)	
, deposes and sa	ays
(Name of Individual)	
complete and accurate to the best of his kno	knows the contents thereof; and that the same is true and wledge. The grounds of deponent's belief relative to all
which deponent has caused to be made concern	stated upon his own personal knowledge are investigations and the subject matter of this application.
,	and the subject matter of this application.
Sworn to before me this	
day of, 20	
(Notary Public)	

(If applicant is partnership)

(F.L.	
STATE OF	
and knows the contents thereof; and that the knowledge. The grounds of deponent's belief stated upon his own personal knowledge ar concerning the subject matter of this applica	
Sworn to before me this, 20	
(Notary Public)	

(If applicant is limited liability company)

STATE OF New York) SS.: COUNTY OF Albany (Name of Individual) that he is one of the members of the firm of Park South Partners LLC LLQRanceskep I the partnership named in the attached application; that he has read the foregoing the contents thereof; and that the same is true and complete and accurate to the The grounds of deponent's belief relative to all matters in the said application wh his own personal knowledge are investigations which deponent has caused to be	application and knows best of his knowledge.
(Name of Individual) that he is one of the members of the firm of Park South Partners LLC LLQRancership I the partnership named in the attached application; that he has read the foregoing the contents thereof; and that the same is true and complete and accurate to the The grounds of deponent's belief relative to all matters in the said application wh his own personal knowledge are investigations which deponent has caused to be	application and knows best of his knowledge.
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his own personal knowledge are investigations which deponent has caused to be	tal a sala t
0	e made concerning the
subject matter of this application as well as information acquired by deponent in tas a member of and from the books and papers of said partnership.	the course of his duties
- Timoshi (Vi	1 118m _
Name: authorized &	Popular to tive
Sworn to before me this	1/00000
35 day of 201.3	
•	
Du Ja	
(Notary Public)	
NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY	T

HARMLESS AGREEMENT APPEARING ON PAGE 22 IS SIGNED BY THE APPLICANT.

HOLD HARMLESS AGREEMENT

Applicant hereby releases City of Albany Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency's examination and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, and (ii) the Agency's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

PARK SOUTH PARTNERS LLC

(Applicant)

Name:

Sworn to before me this

day of a part

Title:

-- 25

TO:

Project Applicants

FROM:

City of Albany Industrial Development Agency

RE:

Cost/Benefit Analysis

In order for the City of Albany Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1	Name of Project Beneficiary ("Company"):	Park South Partners LLC
4.	rame of Froject Beneficiary (Company).	rark boddii rartiiera biic
2.	Brief Identification of the Project:	Acquisition of 160 Morris St, 163
		Morris St, 11 New Scotland Ave., *
₁₁ 3.	Estimated Amount of Project Benefits Sought:	
	A. Amount of Bonds Sought:	\$ 0.00
	B. Value of Sales Tax Exemption Sought	\$ 1,899,400.00
	C. Value of Real Property Tax Exemption Sought	\$ 15,919,928
	D. Value of Mortgage Recording Tax Exemption Sought	\$ 500,000.00

PROJECTED PROJECT INVESTMENT

A.	Land-Related Costs	
1.	Land acquisition	\$ 2,100,000.00
2.	Site preparation	\$
3.	Landscaping	\$
4.	Utilities and infrastructure development	\$
5.	Access roads and parking development	\$
6.	Other land-related costs (describe)	\$
B.	Building-Related Costs	
1.	Acquisition of existing structures	\$
2.	Renovation of existing structures	\$
3.	New construction costs	\$ 47,485,000.00
4.	Electrical systems	\$
5.	Heating, ventilation and air conditioning	\$
6.	Plumbing	\$
7.	Other building-related costs (describe)	\$

^{*} and 33 New Scotland Ave., construction of +/- 256 apartment units and retail space, and installation thereon of various personal property, furniture, fixtures and equipment. - 26

C.	Machinery and Equipment Costs	
1.		\$
2.		\$
3.		\$
4.	Installation costs for various equipment	\$
5.	Other equipment-related costs (describe)	\$
D.	Furniture and Fixture Costs	
1.	Office furniture	\$
2.	Office equipment	\$
3.	Computers	\$
4.	Other furniture-related costs (describe)	\$
E.	Working Capital Costs	
1.	Operation costs	\$
2.	Production costs	\$
3.	Raw materials	\$
4.	Debt service	\$
5.	Relocation costs	\$
6.		\$
7.	Other working capital-related costs (describe)	\$
F.	Professional Service Costs	
1.	Architecture and engineering	\$
2.	Accounting/legal /IDA fees	\$ 455,000.00
3.	Other service-related costs (describe)	\$
G.	Other Costs	
1.	Loan fees, CPI, carry costs	\$ 681,000.00
2.		\$
Н.	Summary of Expenditures	
1.		\$ 2,100,000.00
2.	Total Building-Related Costs	\$ 47,485,000.00
3.		\$
4.		\$
5.	Total Working Capital Costs	\$
6.		\$ 455,000.00
7.	Total Other Costs	\$ 681,000.00

PROJECTED PROFIT *See attached Income & Expense Reports

I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEAR	Without 1DA benefits	With IDA benefits
1	\$	\$
2	\$	\$
3	\$	\$
4	\$	\$
5	\$	\$

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

l. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	0	\$	\$
Year 1	200*	\$ 2,704,000	\$ 405,600
Year 2		\$	\$
Уеаг 3		\$	\$
Year 4		\$	\$
Year 5		\$	\$

^{*} equivalent of 20 full time jobs - 1 year

PROJECTED PERMANENT EMPLOYMENT IMPACT

I. Please provide estimates of total number of existing permanent jobs to be preserved or retained as a result of the Project:

Year	Professional	Skilled	Semi-Skilled	Unskilled
Current Year	0	0	0	0
Year !	0	0	0	0
Year 2	0	0	0	0
Year 3	0	0	0	0
Yеат 4	0	0	0	0
Year 5	0	0	0	0

II.	Please provide esti	mates of total new pe	ermanent jobs	to be created at the	e Project:
	Year	Professional	Skilled	Semi-Skilled	Unskilled
	Current Year				
	Year 1	see attached	Job Crea	ation Chart	
	Year 2				
	Year 3				
	Year 4				
	Year 5				
III. P	lease provide estimate	es for the following:			
	A. Creation of Ne	w Job Skills relating to	permanent jo	bs. Please complete	Schedule A.
IV. F 20%		percentage of employ anticipate job			of Albany residents: ted with the local Jo
	Dev	relopment Author	ority off	ice which wil	l provide a source of
	A. Provide a brief	description of now the	e project expec	is to meet this percer	nage: local applicants
		PROJECTED O	PERATING	<u>IMPACT</u>	for employment.
1.	Please provide esti	mates for the impact of	f Project opera	ting purchases and sa	ales:
	Additional Purchas	es (1st year following			
	project completion)	s (1 year following		\$ O	
	project completion,	•		Ψ	
	Additional Sales Ta	ax Paid on Additional			
	Purchases	IA I WIG OII / IGGILIONAI		\$ O	
	1 010110505			Ψ	
	Estimated Addition	al Sales (1st full year			
	following project co			\$ 0	
	rome P. t. alleas a.	5p.1011011,		<u> </u>	
	Estimated Addition	al Sales Tax to be			
		onal sales (1st full year		\$ 0	
	following project co				
	01 3	1 - /			
II.	Please provide es	timates for the impac	t of Project of	on existing real pro	perty taxes and new
paym	ents in lieu of taxes ('		•	- '	PILOT Schedule.
		·		EE	

Year	Existing I Property T (Without IDA in	New Pilot Payments (With IDA)		Total (Difference)			
Current Year			, e				
Year 1				A			
Year 2	SEE	ATTACHED	PROPOSED	PILOT	SCHEDULE		
Year 3							
Year 4							
Year 5							
Year 6							
Year 7							
Year 8							
Year 9							
Year 10							

lll. Please provide a brief description for the impact of other economic benefits expected to be produced as a result of the Project:

Local retail and service industries will benefit from the 256 new market rate residences in the City of Albany.

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

Date Signed: 930 __, 20\$13

Name of Person Completing Project Questionnaire on behalf of the Company.

Name: Jema

Title: Cuthouned (tepresent)
Phone Number: 862 8600
Address: 255 Washington Avenue Ext.

Albany NY 12205

Signatures

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

New Job Skills

Number of Positions Created

Wage Rate

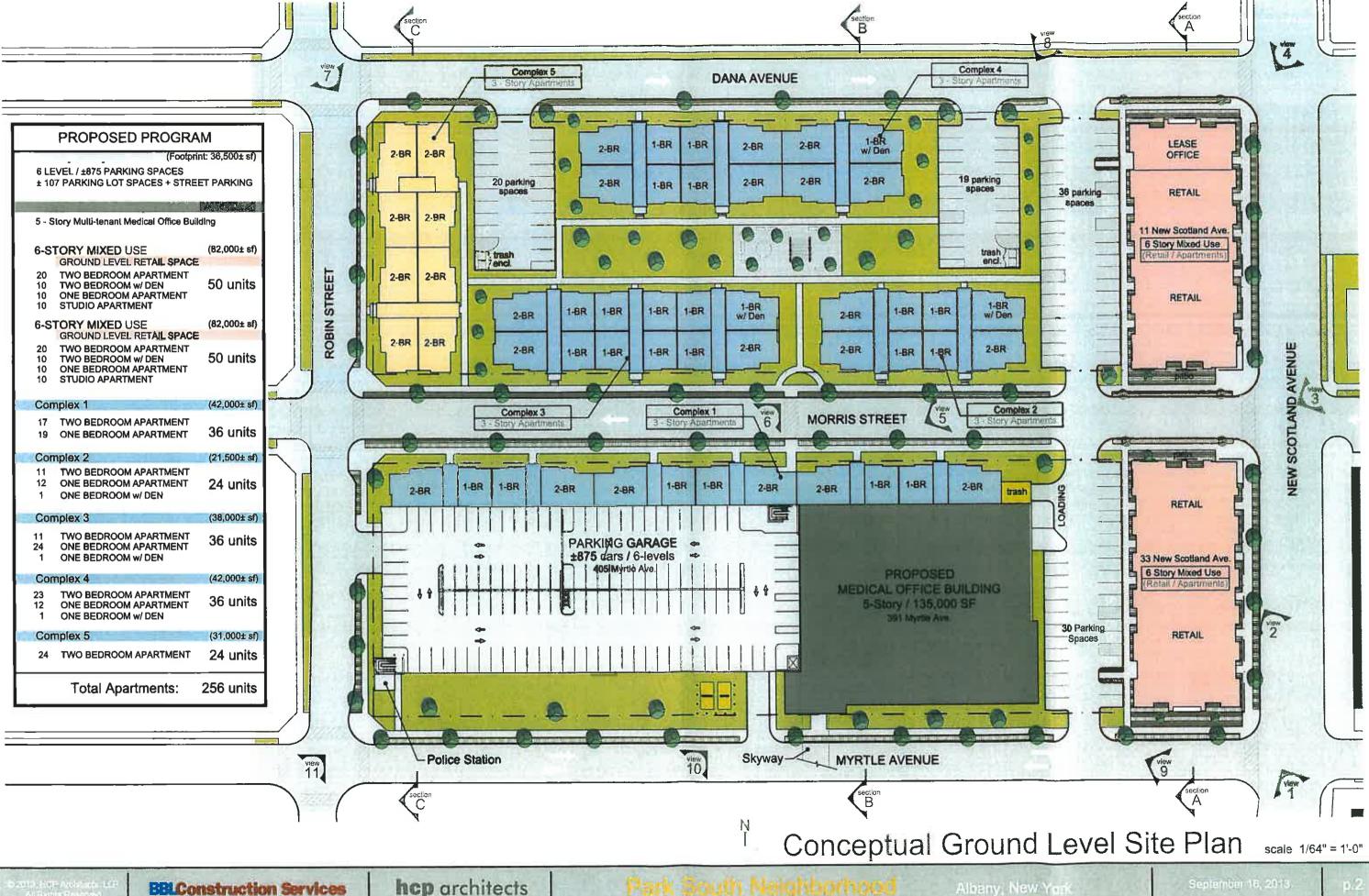
SEE ATTACHED JOB CREATION CHART

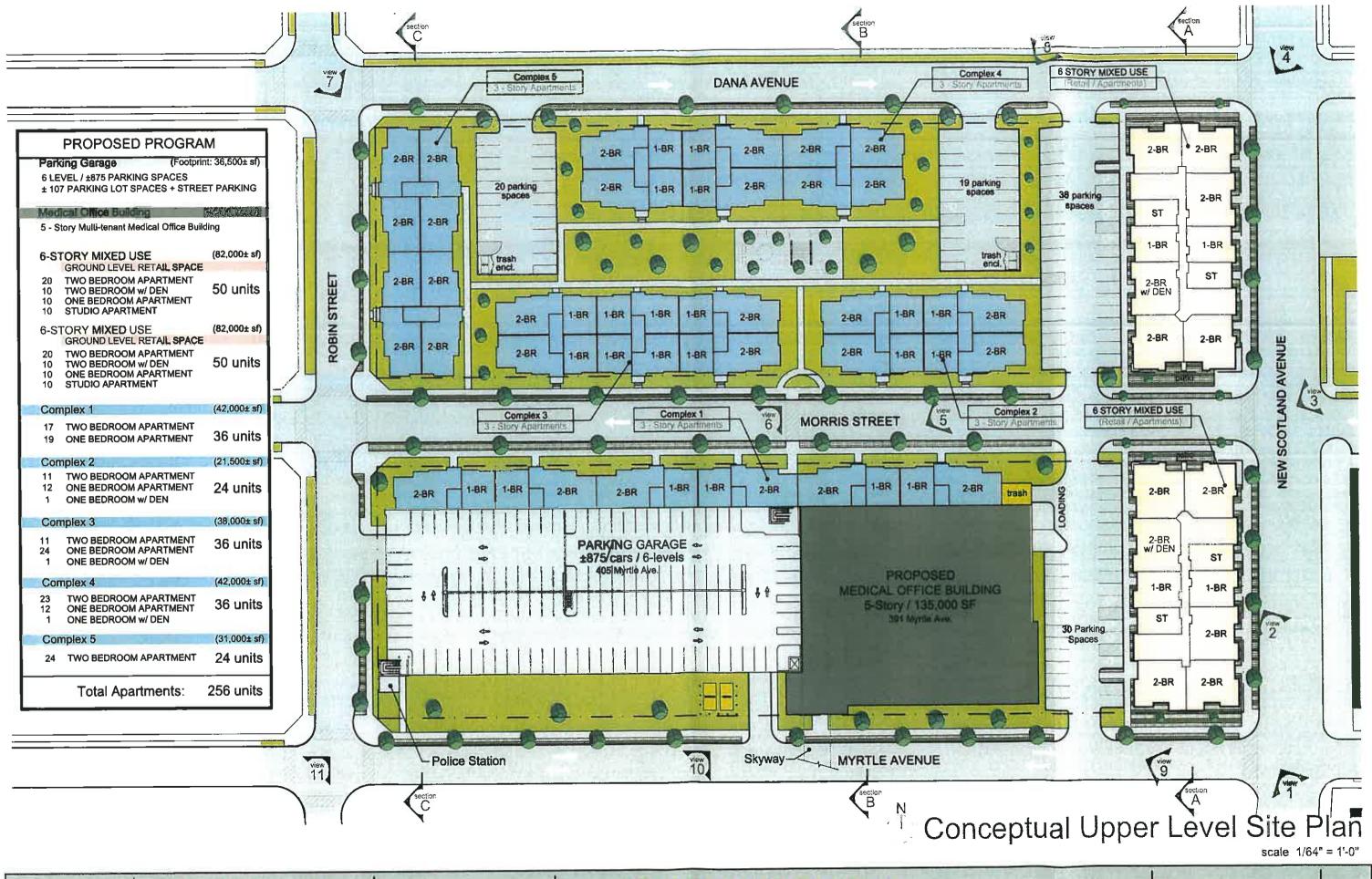
Should you need additional space, please attach a separate sheet.

LIST OF AFFILIATES (PAGES 6, 7)

Massry Affiliated Entitles
Brunswick Associates of Albany, LP
Brunswick Associates II of Albany, LLC
California Associates, LP
Capital View Associates, LLC
Center Albany Associates, L.P.
Clover Park Apartment Associates of Albany, LP
Country Club Manor Associates, LP
Crescent Village Associates, LP
Court Royale Apartments, LLC
E.B. Realty of Albany, LLC
Elmwood Associates
Hillside Associates of Albany, LLC
Livingston Apartments, LP
Menands Associates, LP
MRP Associates, LLC
MRP Schuyler, LLC
NMM Glens Falls Assoc., LLC
Paradise NM, LLC
R.P. Associates of Albany, LP
Rustic Village
Sandcreek Associates
Sheridan Village Associates, LLC
TM Orchard Park Res. Ptrs, LP
Tri City Rentals, LLC
Tri City Rentals Management Corp
Towers Associates
Woodlake Associates, LP
255 Washington Avenue Extension LLC

SITE PLAN (PAGE 8)





SITE PHOTOGRAPH (PAGE 8)

PARK SOUTH APARTMENTS EMPLOYMENT STAFF

Gross Payroll:		
Property Manager	1 @ \$55,000 / уг	\$ 55,000
Leasing Consultants	2 @ \$30,000 / yr	\$ 60,000
Maintenance Supervisor	1 @ \$50,000 / yr	\$ 50,000
Maintenance	1 @ \$36,500 / yr	\$ 36,500
Grounds / Maint	2 @ \$23,400 / yr	\$ 46,800
Cleaning / Housekeeping	2 @ \$23,400 / yr	\$ 46,800
Concierge / Resident Assistant	2 @ \$26,000 / yr	\$ 52,000
Total Gross Payroll	11 Employees	\$ 347,100
Employer Taxes & Benefits Pack	\$ 88,100	
Total Estimated Payroll & Benefi	\$ 435,200	
Total Per Unit		\$ 1,700

PROPOSED PILOT SCHEDULE (PAGE 29)

of Apartments 256

<u>Taxes wit</u>	h savings							1 1	increase				
		Assessment		Assessment	Exemption	\	alue after		Rate	J	Projected	1	axes
Ye	ar	Floor		Ceiling	Factor		xemption		\$1,000		Taxes		er Apt
CP	2014	15,374,239	\$		Fixed at Current		THE RESERVE	5	46.45	S	163,000	5	637
CP	2015	15,374,239			Fixed at Current			Ś	47.37	Ś	163,000	Ś	637
Year 1	2016	15,374,239	* * * * * * *	18,434,930	Fixed at Current			Ś	48.32	5	163,000	Ś	637
Year 2	2017	15,374,239	\$	18,434,930	Fixed at Current			\$	49.29	S	163,000	Ś	637
Year 3	2018	15,374,239	\$	18,434,930	Fixed at Current			\$	50.27	S	163,000	\$	637
Year 4	2019	15,374,239	\$	18,434,930	Fixed at Current			\$	51.28	S	163,000	Ś	637
Year 5	2020	15,374,239	\$	18,434,930	Fixed at Current			\$	52.31	\$	163,000	Ś	637
Year 6	2021	15,374,239	\$	18,434,930	Fixed at Current			\$	53.35	S	163,000	Ś	637
Year 7	2022	15,374,239		18,434,930	Fixed at Current			\$	54.42	s	163,000	Ś	637
Year 8	2023	15,374,239	\$	18,434,930	Fixed at Current			5	55.51	S	163,000	\$	637
Year 9	2024	15,374,239	\$	18,434,930	Fixed at Current			5	56.62	Ś	163,000	Ś	637
Year 10	2025	15,374,239	\$ \$ \$	18,434,930	Fixed at Current			\$	57.75	Ś	163,000	Ś	637
Year 11	2026	15,374,239	\$	18,434,930	75.00%	\$	4,608,733	\$	58.90	\$	271,475	Ś	1,060
Year 12	2027	15,374,239	\$	18,434,930	75.00%	\$	4.608.733	Ś	60.08	Ś	276,904	Ś	1,082
Year 13	2028	15,374,239	\$	18,434,930	75.00%	\$	4,608,733	\$	61.28	Ś	282,443	Ś	1,103
Year 14	2029	15,374,239	\$	18,434,930	75.00%	\$	4,608,733	Ś	62.51	Ś	288,091	Š	1,125
Year 15	2030	15,374,239	\$	18,434,930	65.00%	Ś	6,452,226	Ś	63.76	Ś	411,394	Ś	1,607
Year 16	2031	15,374,239	\$	18,434,930	65.00%	Ś	6,452,226	Ś	65.04	Ś	419,622	Š	1,639
Year 17	2032	15,374,239	\$	18,434,930	60.00%	Ś	7,373,972	\$	66.34	\$	489,160	\$	1,911
Year 18	2033	15,374,239	\$	18,434,930	60.00%	\$	7,373,972	\$	67.66	Ś	498,943	Š	1,949
Year 19	2034	15,374,239	\$	18,434,930	55.00%	Ś	8,295,719	Ś	69.02	Ś	572,537	\$	2,236
Year 20	2035	15,374,239	\$	18,434,930	55.00%	\$	8,295,719	\$	70.40	Ś	583,988	Š	2,281
					Total Estir	nate	d Taxes wit	h ab		<u> </u>	6,050,558	•	

Taxes wit	th savings						increase				
Duntantant	Ta			_			2.00%				
Projected			Projected _	Taxes	Projected		axes		Projected	7	Taxes
Taxes	Per Apt		Taxes	Per Apt	Taxes		er Apt		Taxes	Р	er Apt
Year 1	2014		struction period -			\$	46.45	\$	163,000	\$	637
Year 2	2015		truction period -	current taxes		\$	47.37	\$	163,000	\$	637
Year 3	2016	\$	18,434,930	0%		\$	48.32	\$	890,816	\$	3,480
Year 4	2017	\$	18,434,930	0%		\$	49.29	\$	908,632	\$	3,549
Year 5	2018	\$	18,434,930	0%		\$	50.27	\$	926,805	\$	3,620
Year 6	2019	\$	18,434,930	0%		\$	51.28	\$	945,341	\$	3,693
Year 7	2020	\$	18,434,930	0%		\$	52.31	\$	964,248	\$	3,767
Year 8	2021	\$	18,434,930	0%		\$	53.35	\$	983,533	\$	3,842
Year 9	2022	\$	18,434,930	0%		\$	54.42	\$	1,003,203	\$	3,919
Year 10	2023	\$	18,434,930	0%		\$	55.51	\$	1,023,268	Ś	3,997
Year 11	2024	\$	18,434,930	0%		\$	56.62	\$	1,043,733	Ś	4,077
Year 12	2025	\$	18,434,930	0%		\$	57.75	Ś	1,064,608	Ś	4,159
Year 13	2026	\$	18,434,930	0%		\$	58.90	Ś	1,085,900	Ś	4,242
Year 14	2027	\$	18,434,930	0%		\$	60.08	\$	1,107,618	- 1	4,327
Year 15	2028	\$	18,434,930	0%		\$	61.28	Ś	1,129,770		4,413
Year 16	2029	\$	18,434,930	0%		\$	62.51	Ś	1,152,365		4,501
Year 17	2030	\$	18,434,930	0%		Ś	63.76	Ś	1,175,413	Ś	4,591
Year 18	2031	\$	18,434,930	0%		Ś	65.04	Ś	1,198,921		4,683
Year 19	2032	\$	18,434,930	0%		\$	66.34	Ś	1,222,899		4,777
Year 20	2033	\$	18,434,930	0%		\$	67.66	Ś	1,247,357	Ś	4,872
Year 21	2034	\$	18,434,930	0%		\$	69.02	Ś	1,272,305		4,970
Year 22	2035	\$	18,434,930	0%		Ś	70.40	\$	1,297,751	Ś	5.069
		•			ed Taxes withou				21,970,485	~	3,003
						020		-			