

**ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN
AUTHORIZING THE CITY OF NEW HAVEN TO ENTER INTO A COOPERATION
AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF NEW HAVEN
AND GLENDOWER GROUP, INC. AND ST. LUKE'S DEVELOPMENT
CORPORATION AND ST. LUKE'S GLENDOWER LLC, WITH RESPECT TO THE
REDEVELOPMENT OF 117-125 & 129 WHALLEY AVENUE, 10-12 DICKERMAN
STREET, AND 34-36 SPERRY STREET (INCLUDING A TAX ABATEMENT
PURSUANT TO SECTION §28-4 OF THE NEW HAVEN CODE OF ORDINANCES)
AND TO ENTER INTO A MEMORANDUM OF AGREEMENT CONCERNING
DOCUMENTATION AND PRESERVATION OF HISTORIC BUILDINGS AFFECTED
OR POTENTIALLY AFFECTED BY SUCH REDEVELOPMENT PURSUANT TO
SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT**

WHEREAS, the Housing Authority of the City of New Haven ("HANH"), Glendower Group Inc. ("Developer"), St. Luke's Development Corporation and St. Luke's Glendower LLC (collectively the "Owners") have begun to implement plans to redevelop 117-125 & 129 Whalley Avenue, 10-12 Dickerman Street, and 34-36 Sperry Street located in the City of New Haven, Connecticut (the "City") using funds received from the United States Department of Housing and Urban Development, together with other funding sources;

WHEREAS, pursuant to the revitalization effort, the Developer has been selected to carry out a certain redevelopment, at that location known as 117-125 & 129 Whalley Avenue, 10-12 Dickerman Street, and 34-36 Sperry Street situated in the City (the "Project"). The Project involves ownership, operation, management, construction, and maintenance of development property; and

WHEREAS, Section 28-4 of the City's Code of Ordinances provides that the Mayor of the City (the "Mayor") may, with the approval of the City's Board of Alders, enter into contracts between the City and owners of low and moderate income housing, granting abatement, in whole or in part, of the taxes on the real estate used for such low and moderate income housing, or which provides for a payment or payments in lieu of taxes, or both, provided that any such agreement does not remain in effect for a period greater than thirty nine (39) years (a "Tax Agreement"); and

WHEREAS, the Developer has submitted a proposed Cooperation Agreement between the City, HANH, Owners and the Developer pursuant to which the Developer agrees to undertake and complete the Project, and the City agrees to perform certain functions to facilitate the Project (the "Cooperation Agreement"); and

WHEREAS, the proposed Cooperation Agreement includes provisions for a Tax Agreement pursuant to NEW HAVEN CODE ORD. §28-4; and

WHEREAS, the City, HANH, Owners and the Developer propose to execute the Cooperation Agreement, a copy of which is attached hereto, in substantially final form, and incorporated herein by reference; and

WHEREAS, the City has determined that the Project may have an adverse effect on the property at 117-125 & 129 Whalley Avenue, which is eligible for listing in the National Register of Historic Places, and has consulted with the Connecticut State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, the City has consulted with the Delaware Tribe of Indians, Mashantucket Pequot Indian Tribe, Mohegan Tribe of Indians of Connecticut, and the Narragansett Indian Tribe for which no properties associated with the Project were identified to have religious and cultural significance; and

WHEREAS, the City has consulted with the New Haven Historic District Commission regarding the effects of the Project on historic properties and no comments were received; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the City has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii).

NOW THEREFORE, IT IS HEREBY ORDERED that the Mayor is authorized to execute the Cooperation Agreement, or a Cooperation Agreement substantially similar thereto, containing the Tax Agreements on behalf of the City, and the City-Town Clerk of City be and hereby is authorized and directed to impress and attest the official seal of the City upon said Cooperation Agreement(s); and

FURTHER, the Mayor is authorized and empowered to execute, acknowledge and deliver any and all ancillary documents as may be necessary or expedient, from time to time, to implement and effect the intent and purposes set forth in the Cooperation Agreement(s) and this Order; and

FURTHER, the Mayor is authorized and empowered to execute and deliver a Memorandum of Agreement between the City, SHPO and the Developer in substantially the form attached hereto.