



## Legislation Details (With Text)

**File #:** Res 1474-2008      **Version:** \*      **Name:** LU 799 - New Foundations, Hebert St Condos, 37 Herbert St, Brooklyn, CD #34  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Finance

**On agenda:** 6/12/2008

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving an exemption from real property taxes for property located at 37-43 Herbert Street (Block 2827, Lot 36), Brooklyn, pursuant to Section 696 of the General Municipal Law (Preconsidered L.U. No. 799).

**Sponsors:** David I. Weprin

**Indexes:**

**Attachments:** 1. Memorandum, 2. Hearing Transcript - Stated Meeting Recessed 5/28/08, 3. Hearing Transcript - Stated Meeting 6/12/08

Date	Ver.	Action By	Action	Result
6/12/2008	*	Committee on Finance	P-C Item Approved by Comm	
6/12/2008	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1474

Resolution approving an exemption from real property taxes for property located at 37-43 Herbert Street (Block 2827, Lot 36), Brooklyn, pursuant to Section 696 of the General Municipal Law (Preconsidered L.U. No. 799).

By Council Member Weprin

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated August 6, 2007 that the Council take the following action regarding property located at 37-43 Herbert Street (Block 2827, Lot 36), Borough of Brooklyn (the "Project"):

Approve an exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption");

**WHEREAS**, the project description that HPD provided to the Council states that the Sponsor of the properties (the "Sponsor") is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

**WHEREAS**, the Council held a hearing on the Project on June 12, 2008;

**WHEREAS**, the Council has considered the financial implications relating to the Tax Exemption;

### RESOLVED:

The Council hereby approves, pursuant to Section 696 of the General Municipal Law, a tax exemption for the Project as follows:

All of the value of the buildings, structures, and other improvements in the Project shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the July 1<sup>st</sup> following the conveyance of the Project to the Sponsor, during the last ten years of which such exemption shall decrease in equal annual decrements.

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The partial tax exemption granted hereunder shall terminate with respect to all or any portion of the Project if the Department of Housing Preservation and Development determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgages of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

Adopted.

Office of the City Clerk}  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on June 12, 2008 on file in this office.

City Clerk, Clerk of Council