

ACT NO. _____ - 2023

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.4 acres of real property located at 305 and 309 Warburton Avenue and 254 Woodworth Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating ninety-four (94) affordable senior rental housing units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

NOW, THEREFORE, BE IT ENACTED by the members of the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to purchase from the current owner(s) of record approximately +/- 0.4 acres of real property located at 305 and 309 Warburton Avenue and 254 Woodworth Avenue in the City of Yonkers (the “Property”) to construct ninety-four (94) affordable senior rental housing units, which includes one superintendent’s unit that will affirmatively further fair housing (the “Affordable AFFH Units”) as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property for an amount not to exceed Two Million Seven Hundred Thousand (\$2,700,000) Dollars.

§3. The County is hereby authorized to convey the Property to Conifer Realty LLC, its successors, assigns or any entity created to carry out the purposes of the proposed transaction, for One (\$1.00) Dollar to construct the ninety-four (94) Affordable AFFH Units including one superintendent’s unit that will be marketed and leased to households aged sixty-two (62) years old and over earning at or below 30% and up to 80% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be

marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

§4. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§5. The transfer of the Property shall be by such deeds as approved by the County Attorney.

§6. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§7. This Act shall take effect immediately.