ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,420,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 99 CHURCH STREET AND 6 COTTAGE PLACE, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,420,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,420,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted ,20)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$4,420,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at 99

Church Street and 6 Cottage Place, in the City of White Plains (the "AFFH Property") at a cost to the County of \$4,420,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to, construction of a new parking level and reconstruction of the existing below grade parking level, and new ramps, improvements to existing ramps, concrete flooring, lighting, signage, fire suppression, landscaping and construction management and County administrative costs. The funding requested herein, at the aggregate estimated maximum cost of \$4,420,000, is in support of the construction of 108 affordable AFFH units and 89 parking spaces. In addition, the County shall provide funding in the amount of \$10,000,000 for the acquisition of the AFFH Property under BPL30 pursuant to a separate authorization and Bond Act. The County shall enter into an Inter-municipal/Developer Agreement ("IMDA") with the City of White Plains, White Plains Housing Authority and WBP Development LLC (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the "Development"). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose,

including preliminary costs and costs incidental thereto and the financing thereof, is \$4,420,000. The plan of financing includes the issuance of \$4,420,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$4,420,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$4,420,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$4,420,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, and the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes

issued in anticipation of the sale of said bonds and the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,
 and an action, suit or proceeding contesting such validity, is commenced within twenty days after
 the date of such publication, or
 - (c) such obligations are authorized in violation of the provisions of the Constitution.

 Section 8. This Act shall take effect in accordance with Section 107.71 of the

Westchester County Charter.

STATE OF NEW YORK)	
: ss.: COUNTY OF WESTCHESTER)	
I HEREBY CERTIFY that	I have compared the foregoing Act No20 with the
original on file in my office, and that the s	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly adop	ted by the County Board of Legislators of the County of
Westchester on , 20 and approve	ed by the County Executive on , 20
IN WITNESS WHEREOF,	I have hereunto set my hand and affixed the corporate
	seal of said County Board of Legislators this day
	of ,20
	Clerk and Chief Administrative Officer of the County
	Board of Legislators of the County of Westchester, New York
(SEAL)	

LEGAL NOTICE

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ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,420,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY. TO **FINANCE** THE COST OF INFRASTRUCTURE **IMPROVEMENTS ASSOCIATED** WITH THE CONSTRUCTION AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 99 CHURCH STREET, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,420,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,420,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted ,20)

Object or purpose:

to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at 99 Church Street and 6 Cottage Place, in the City of White Plains (the "AFFH Property") at a cost to the County of \$4,420,000, including related costs incurred by the County, which may include construction management and engineering costs, and staff and legal fees, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to, construction of a new parking level and reconstruction of the existing below grade parking level, and new ramps, improvements to existing ramps, concrete flooring, lighting, signage, fire suppression. landscaping and construction management and County administrative costs. The funding requested herein, at the aggregate estimated maximum cost of \$4,420,000, is in support of the construction of 108 affordable AFFH units and 89 parking spaces. In addition, the County shall provide funding in the amount of \$4,420,000 for the acquisition of the AFFH Property under BPL30 pursuant to a separate authorization and Bond Act. The County shall enter into an Inter-municipal/Developer Agreement ("IMDA") with the City

of White Plains, White Plains Housing Authority and WBP Development LLC (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the "Development"). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued and period of probable usefulness:

\$4,420,000 - fifteen (15) years

Dated: _____, 20__ White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	BPL1A	NO FISCAL IMPACT PROJECTED			
	SECTION A - CAPITAL BUI To Be Completed by				
X GENERAL FUNI	D AIRPORT FUND	SPECIAL DISTRICTS FUND			
	Source of County Funds (check one):	X Current Appropriations			
		Capital Budget Amendment			
99 CHURCH ST 6 CO	OTTAGE PLACE WHITE PLAINS FS 2586				
ğ	SECTION B - BONDING AU To Be Completed by	A STATE OF THE PROPERTY OF STATE OF THE STAT			
Total Principal	\$ 4,420,000 PPU	15 Anticipated Interest Rate 3.05%			
Anticipated An	nnual Cost (Principal and Interest):	\$ 371,104			
Total Debt Ser	vice (Annual Cost x Term):	\$ 5,566,554			
Finance Depar	tment: maab 11-14-24				
S	ECTION C - IMPACT ON OPERATING BUD				
	To Be Completed by Submitting Department	ent and Reviewed by Budget			
Potential Relat	ted Expenses (Annual): \$	-			
Potential Relat	ted Revenues (Annual): \$	-			
Anticipated sa	vings to County and/or impact of depart	ment operations			
(describe in de	etail for current and next four years):				
	SECTION D - EMPLO	1.10127 1.7			
As	s per federal guidelines, each \$92,000 of a	appropriation funds one FTE Job			
Number of Full Time Equivalent (FTE) Jobs Funded: n/a					
Prepared by:	Dianne Vanadia				
Title:	Associate Budget Director	Reviewed By:			
Department:	Budget	Budget Director			
Date:	11/15/24	Date: 11 15 34			

CAPITAL PROJECT FACT SHEET

Project ID:*	× CF	BA		F	act Sheet	Date:*		
BPL1A				0.	7-08-2024			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District	ID:	
2024	HOU II	SING IMPLEMEN	TATION	FUND 5				
Category*	Depa	rtment:*		C	P Unique	ID:		
BUILDINGS, LAND & MISCELLANEOUS	PLA	NNING		2:	586			
Overall Project Description								
This project continues the funding BPL01. HIF is a unique housing is improvements such as water, sanita rehabilitation of fair and affordable	ncentive progra	am established to pr sewer, road and site	ovide mur improvem	icipalities ients need	with fund ed to facil	ls for pub itate the c	lic infrastr onstructio	ucture and n or
☐ Best Management Practices	□ En	ergy Efficiencies			Infrastruc	cture		
☐ Life Safety	□ Pro	ject Labor Agreem	ent		Revenue			
☐ Security	≭ Otl	ner						
FIVE-YEAR CAPITAL PROGR	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	86,060	86,060	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	86,060	86,060	0	0	0	0	0	0
Expended/Obligated Amount (in	thousands) a	s of: 30,404					N 1657	
Current Bond Description: Bon 100% affordable home-ownership	ding is request building with a	ed to provide fundin total of 89 parking	ng for cert spaces at	ain infrast 99 Church	ructure im Street in	provement the City o	nts for a 68 of White P	3 unit lains.
Financing Plan for Current Requ	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		4,420,000						
Cash:		0						
Total:		\$ 4,420,000						
SEQR Classification: UNLISTED								
Amount Requested:								
4,420,000								

11-15-2024 12:58:34 PM Page 1 of 4

Comments:

The County will enter into an Inter-Municipal/Developer Agreement with the City of White Plains and WBP Development LLC., its successors or assigns (the "Developer") to finance eligible infrastructure improvements associated with multi-family development to be adaptively-reused/constructed at 99 Church Street in the City of White Plains (the "City"), identified on the tax maps as Section 125.67, Block 4, Lot 4.1 (the "Property"). The City will be responsible for operation and maintenance of the infrastructure and the County shall own the infrastructure improvements for the life of the County bonds. The developer will adaptively-reuse a vacant former four-story office building and construct an additional floor making the building a total of 5 stories with 68 apartments all of which will affirmatively further fair housing (the "Affordable AFFH Units") which will be affordable to first time homeowners that earn at or below 100% of the County Area Median Income ("AMI") with the sales price set at 80% of AMI.

The building will have community/conference room, lounge on each residential floor, bike storage, co-working room and a fitness room. Each unit will have their own laundry. The Development will also feature high speed broadband. The building will have 24 one-bedroom, 36 two-bedroom and 8 three-bedroom apartments and 89 parking spaces will be provided on-site in two levels, one level below grade and one level at grade with five of the spaces equipped with electric vehicle charging stations. Each residential condominium unit in 99 Church Street will include one parking space. The additional 21 spaces will be made available to the condominium owners of the adjacent 6 Cottage Place affordable housing development.

A total of \$4,420,000 will finance the construction of infrastructure improvements that may include but will not be limited to: construction of a new parking level and reconstruction of the existing below grade parking level. This will include new ramps and repairs to existing ramps, concrete flooring, drainage, lighting, signage, fire suppression, landscaping, construction management and County administrative costs.

A deed restriction will be filed against the Property to require that the Affordable AFFH Units be marketed and sold in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years.

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS AND WATER-CONSERVING FIXTURES. THE DEVELOPMENT IS DESIGNED TO MEET THE STANDARDS OF BOTH LEED SILVER AND NYS HCR SUSTAINABILITY GUIDELINES.

Appropriation History:

Year	Amount	Description
2014	5,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2015	3,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2016	2,500,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2017	3,500,000	GREENBURGH MANHATTAN AVE REDEVELOPMENT SENIOR HOUSING - \$1,000,000; CONTINUATION OF THIS PROJECT - \$2,500,000
2018	4,150,000	CONTINUATION OF THIS PROJECT.
2019	5,910,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	12,000,000	CONTINUATION OF THIS PROJECT \$10,000,000; INFRASTRUCTURE BROADBAND \$2,000,000
2022	25,000,000	CONTINUATION OF THIS PROJECT
2023	15,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

86,060,000

11-15-2024 12:58:34 PM Page 2 of 4

Financing History:

Year	Bond Act #	Amount	lssued	Description
15	164	0	0	INFRASTRUCTURE IMPROVEMENTS AT 16 ROUTE 6 IN TOWN OF SOMERS
15	170	2,400,000	2,399,395	FAH DEVELOPMENT AT 150 NORTH STREET AND THEODORE FREMD AVE IN CITY OF RYE
15	206	500,000	494,506	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS INFRASTRUCTURE IMPROVEMENTS
17	174	2,250,000	2,222,697	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS TO 1847 CROMPOND ROAD PEEKSKILL
17	210	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS AT 501 BROADWAY IN VILLAGE OF BUCHANAN
18	84	2,400,000	1,962,014	CONSTRUCTION OF CERTAIN PUBLIC INFRASTRUCTION IMPROVEMENTS IN SUPPORT OF HIDDEN MEADOWS DEVELOPMENT
18	156	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS FOR DEVELOPMENT OF AFFORDABLE HOUSING IN NEW ROCHELLE
18	188	1,300,000	1,155,841	INFRASTRUCTURE ASSOCATED WITH CONSTRUCTION OF AFFORDABLE UNITS AT 25 SOUT REGENT ST IN PORT CHESTER
18	183	4,400,000	4,000,982	INFRASTRUCTURE ASSOCIATED WITH AFFORDABLE HOUSING AT 135 S. LEXINGTON AVE IN WHITE PLAINS
19	72	0	0	RESCINDING ACT NO. 156-2018, INFRASTRUCTURE IMPROVEMENTS IN NEW ROCHELLE
19	180	0	0	RESCINDS BOND ACT 210-2017
19	179	2,500,000	0	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 11 GRADEN STREET, NEW ROCHELLE
19	152	5,760,000	5,760,005	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 645 MAIN STREET IN PEEKSKILL
20	51	5,000,000	5,000,009	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
20	97	5,000,000	3,358,249	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN YONKERS
20	201	2,500,000	0	INFRASTRUCTURE IMPROVEMENTS FOR AFFORDABLE HOUSING UNIT AT 48 MANHATTAN AVE., GREENBURG
22	28	3,500,000	241,204	AFFH AND HIF 23 MULBERRY STREET, YONKERS 60 RENTAL UNITS
23	58	2,750,000		HOUSING IMPLEMENTATION FUND II - 65 LAKE STREET WHITE PLAINS
23	147	5,555,000	0	HOUSING IMPLEMENTATION FUND II - 345 MCLEAN AVE YONKERS

Total Financing History:

45,815,000

11-15-2024 12:58:34 PM Page 3 of 4

Recommended By:

Department of PlanningMLLL 07-16-2024

Department of Public WorksRJB4

O7-17-2024

Budget DepartmentDateDEV907-18-2024

Requesting Department Date
LNGA 10-30-2024

11-15-2024 12:58:34 PM Page 4 of 4

HOUSING IMPLEMENTATION FUND II (BPL1A)

User Department:

Planning

Managing Department(s):

Planning;

Estimated Completion Date:

TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL P	ROGRAM (in th	ousands)							
	Est Ult Cost Ap	propriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	86,060	86,060	30,404						
Non County Share			72						
Total	86,060	86,060	30,476						

Project Description

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

ppropriation	History		
Year	Amount	Description	Status
2014	5,000,000	Public infrastructure improvements	COMPLETE
2015	3,000,000	Public infrastructure improvements	COMPLETE
2016	2,500,000	Public infrastructure improvements	COMPLETE
2017	3,500,000	Greenburgh Manhattan Ave Redevelopment Senior Housing - \$1,000,000; continuation of this project -\$2,500,000	COMPLETE
2018	4,150,000	Continuation of this project.	COMPLETE
2019	5,910,000	Continuation of this project	COMPLETE
2020	10,000,000	Continuation of this project	PARTIALLY IN PROGRESS
2021	12,000,000	Continuation of this project \$10,000,000; Infrastructure Broadband \$2,000,000	AWAITING BOND AUTHORIZATION
2022	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2023	15,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	86,060,000		

HOUSING IMPLEMENTATION FUND II (BPL1A)

Prior Appropriations	STATE AND ADDRESS OF THE PARTY		
	Appropriated	Collected	Uncollected
Bond Proceeds	86,060,000	26,648,042	59,411,958
Others		(71,958)	71,958
Total	86,060,000	26,576,084	59,483,916

			ed	horiz	Bonds Aut
Balance	Amount Sold	Date Sold	Amount	Bond Act	
				15	164
605	1,053,460	12/15/17	2,400,000	15	170
	193,426	12/15/17			
	1,634	12/15/17			
	551,309	12/10/18			
	271,876	12/10/19			
	53,689	12/10/19			
	249,231	12/01/22			
	24,769	12/01/22			
5,494	262,311	12/15/17	500,000	15	206
	48,163	12/15/17			
	407	12/15/17			
	183,625	12/10/18			
27,303	24,138	12/10/18	2,250,000	17	174
	127,644	12/10/19			
	25,207	12/10/19			
	192,926	04/30/20			
	985,486	10/28/20			
	138,079	10/28/20			
	38,077	10/28/20			
	(38,077)	10/28/20			
	445,116	12/01/21			
	258,419	12/01/22			
	25,682	12/01/22			
				17	210
437,986	270,781	12/10/19	2,400,000	18	84
	53,472	12/10/19			
	560,358	04/30/20			
	389,869	10/28/20			
	54,626	10/28/20			
	15,064	10/28/20			
	(15,064)	10/28/20			
	632,909	12/01/21			

HOUSING IMPLEMENTATION FUND II (BPL1A)

To	tal	45,815,000		22,612,745	23,202,255
147	23	5,555,000			5,555,000
58	23	2,750,000			2,750,000
28	22	3,500,000			3,500,000
201	20	2,500,000			2,500,000
			12/01/22	111,594	
			12/01/22	1,122,890	
97	20	5,000,000	12/01/21	43,723	3,721,792
			12/01/22	391,930	
			12/01/22	3,943,713	
51	20	5,000,000	12/01/21	148,675	515,682
180	19				
179	19	2,500,000			2,500,000
			12/01/22	275,931	
			12/01/22	2,776,495	
152	19	5,760,000	12/01/21	2,419,574	288,000
72	19				
			12/01/22	127,450	
			12/01/22	1,282,442	
183	18	4,400,000	12/01/21	1,765,006	1,225,102
			12/01/22	20,651	
			12/01/22	207,794	
			12/01/21	294,989	
			10/28/20	18,818	
			10/28/20	68,239	
			10/28/20	487,032	•
188	18	1,300,000	04/30/20	27,188	175,290
156	18				