



September 16, 2021

Attached, please find the amended page of the 121A Project Agreement which includes the September 10, 2021 date of the agreement.

Please attach this to the documents delivered on September 13, 2021.

Boston City Clerk's Office
Confirmation of Receipt of Contract

Receipt of contract: 6A Contract for the 140 Clarendon 121A Project Agreement between Boston and 140 Clarendon LL Limited Partnership

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PLEASE DATE STAMP OR SIGN BELOW:

Execution Version

AGREEMENT BETWEEN THE CITY OF BOSTON AND
140 CLARENDON LL LIMITED PARTNERSHIP
PURSUANT TO CHAPTER 121A, SECTION 6A OF
THE MASSACHUSETTS GENERAL LAWS

140 CLARENDON PROJECT

This AGREEMENT (this "Agreement") is made as of this 10th day of Sept, 2021, effective as of the Effective Date (as defined in Section 2 below), by and between 140 CLARENDON LL LIMITED PARTNERSHIP (the "Partnership"), a Massachusetts limited partnership organized under Massachusetts General Laws Chapter 109 and subject to Massachusetts General Laws Chapter 121A ("Chapter 121A") and the Acts of 1960, Chapter 652 ("Chapter 652"), both as amended to date, and the CITY OF BOSTON, a municipal corporation of the Commonwealth of Massachusetts (the "City") acting pursuant to Massachusetts General Laws Chapter 121A, Sections 6A and 10 and every other power and authority.

WITNESSETH THAT:

WHEREAS, on February 8, 2021, the Partnership filed an application with the Boston Redevelopment Authority (the "Authority") entitled "Application for Approval Pursuant to General Laws Chapter 121, Section 18C for 140 Clarendon Chapter 121A Project and for Consent to Form an Urban Redevelopment Limited Partnership for the Purpose of Undertaking the 140 Clarendon Chapter 121A Project" (the "Application");

WHEREAS, as set forth in the Application, the Partnership proposes to acquire the property known as 140 Clarendon Street in the Back Bay neighborhood of Boston (the "Property"), as more particularly described on Exhibit A attached hereto and incorporated herein, and to rehabilitate the existing building at the Property (the "Building") to create approximately 210 residential dwelling units, all of which will be permanently income-restricted to households earning no more than sixty percent (60%) of the Area Median Income ("AMI"), as established by the U.S. Department of Housing and Urban Development ("HUD") from time to time (such dwelling units, the "Affordable Units");

WHEREAS, the Application details the substantial rehabilitation program which the Partnership intends to undertake at the Building, including the replacement of the roof, façade repointing, the installation of new elevators, the replacement of obsolete rooftop equipment, and the conversion of underutilized and vacant office and hotel space into the Affordable Units, together with the creation of residential common and amenity spaces, property management and supportive services offices, and spaces accessory and ancillary to the foregoing (the foregoing rehabilitation program is referred to herein as the "Project"); and

WHEREAS, the Project will include the Affordable Units and facilities accessory thereto that will be used exclusively for the benefit of the residents of the Affordable Units, including but not limited to, resident lounges, property management offices and storage spaces, social services offices, and wellness and fitness facilities (such portions of the Building are hereinafter referred to as the "Residential Space"); and