

TOWNSHIP OF MOORESTOWN

RESOLUTION NO. 108-2013

**AUTHORIZING THE EXECUTION OF A SUBORDINATION AGREEMENT
FOR THE MEND FROG HOLLER FARMS REFINANCING OF THE PROPERTIES AT
99 EAST SECOND STREET, 315 CHESTER AVENUE AND 215 WEST SECOND STREET**

WHEREAS, Moorestown Ecumenical Neighborhood Development, Inc. (“MEND”) is the owner of properties located at 99 East Second Street, and Frog Holler Farms, Inc. (“Frog Holler”) is the owner of properties located at 315 Chester Avenue and 215 West Second Street; and

WHEREAS, these properties are part of the Township’s Affordable Housing plan; and

WHEREAS, a portion of the plans for certain residential and Affordable Housing controls are recorded against these properties; and

WHEREAS, MEND is in the process of refinancing its obligations to TD Bank, N.A., which obligations are guaranteed by Frog Holler, and the lender requires that the parties enter into a subordination agreement; and

WHEREAS, the terms of the subordination agreement are acceptable to the Township, in that the Affordability Controls have priority over the new mortgages to lender; and

WHEREAS, by refinancing, MEND will lower its monthly payments, which will improve its economic cash flow and better allow it to provide Affordable Housing within the Township; and

WHEREAS, the subordination agreement here is similar to other subordination agreements enter into in regard to other properties; and

WHEREAS, counsel has determined it is in the best interest of the Township to enter into the subordination agreement,

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Moorestown, County of Burlington, that the Subordination Agreement that is satisfactory to the Township attorney in form and content is hereby approved, and the execution of the Subordination Agreement by Mayor and Township staff is approved.

<u>VOTE:</u>	
JORDAN	YES
CHIACCHIO	YES
NEWCOMER	YES
NAPOLITANO	YES
GARWOOD	YES

Certified to be a true and correct copy of a resolution adopted by the Township Council of the Township of Moorestown at its meeting on May 6, 2013.

Patricia L. Hunt, Township Clerk