



ARCHITECT'S CERTIFICATE

This certificate is rendered with respect to:

- (i) A parcel of land (the "Land") located at 365 Annum Street, Springfield, Hampden County, Massachusetts, shown on a site plan entitled "_____" scale 1" = 100', dated _____, 200__, prepared by _____ (the "Site Plan"); and
- (ii) Proposed construction on the Land of a 36 unit housing development comprising one residential building and related facilities (the "Improvements") shown on the Site Plan; the Improvements to be constructed in accordance with the Plans and Specifications prepared by Right Angle Architects LLP and described on Schedule A attached hereto and made a part hereof (the "Plans and Specifications"). The Land and the Improvements are collectively referred to herein as the "Project".

We are furnishing this certificate to the following lenders: The Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development; The Commonwealth of Massachusetts acting by and through the Department of Housing and Community Development under the Affordable Housing Trust Fund Statute, M.G.L. c. 121D, by its administrator Massachusetts Housing Finance Agency; the Community Economic Development Assistance Corporation; and the City of Springfield (collectively, the "Participating Lenders") to induce the Participating Lenders to make a loan to the Project, and it is intended that the Participating Lenders shall rely upon the contents and accuracy of this certificate in connection therewith.

In completing this certificate, the undersigned Architect has assumed that: (i) the Improvements will be completed in accordance with the Site Plan and the Plans and Specifications; (ii) the Improvements, once constructed, will be used for a 36 unit housing development comprising one residential building; and (iii) the Project, once completed on the Land pursuant to the Site Plan and the Plans and Specifications, will be properly used and maintained.

We hereby certify to the Participating Lenders to the best of our professional judgment, as follows:

1. Zoning District. The Land and the Improvements (once completed) will be located entirely within a _____ District under the zoning ordinance or by-law of [name of city or town], Massachusetts adopted _____, 200__, as presently in effect (the "Zoning Code") and shown on a map entitled "_____", dated _____, 200__, as presently in effect (the "Zoning Map"). No portion of the Land lies within any overlay or special district under the Zoning Code except as follows: _____

_____ (if not applicable, put "N/A").

2. Zoning Requirements. We have examined all requirements of the Zoning Code and pending amendments which are applicable to the construction and intended use of the Project and have determined that:

A. The intended use of the Project is for a 36 unit housing development comprising one residential building:

[] is permitted as a matter of right;

[] requires site plan approval from [*the Board of Appeal or Planning Board*], which has issued and a true copy of which is attached to this certificate;

[] requires a [*conditional use permit*] [*special permit*] from [*the Board of Appeal*], which has issued and a true copy of which is attached to this certificate;

[] requires a variance or special exception from [*the Board of Appeal*], which has issued and a true copy of which is attached to this certificate.

B. The chart set forth below indicates the dimensional and other requirements contained in the Zoning Code which are applicable to the Project and the pertinent dimensions and other data of the Project, each of which has been measured in accordance with the requirements of the Zoning Code. The Project, if built in accordance with the Site Plan and the Plans and Specifications, will comply with all such requirements except as specifically noted below:

[This is a list of typical zoning requirements; add all others which are applicable to the Project.]

ZONING CODE REQUIREMENT	PROJECT'S DIMENSION
Minimum Lot Frontage:	
Minimum Lot Area:	
Minimum Lot Width:	
Height Limitation:	
Maximum Floor Area Ratio (or other type of bulk restriction):	
Maximum Lot Coverage:	
Limitation on Number of Dwelling Units (if any):	
Lot Area per Dwelling Unit (if any):	
Front Yard Requirements:	
Side and Rear Yard Requirements:	
Corner Clearance Requirements:	

Off-Street Parking Requirements:

Off-Street Loading Requirements:

Landscaping Requirements:

Setback of Parapet Requirements:

Signage Requirements:

Handicapped Access Requirements:

Other:

As noted above, the Project does not or will not comply with: _____

_____ [insert zoning requirement; if not applicable, put "N/A")]. The [Board of Appeal] has granted a variance from such requirement, a true copy of which is attached to this certificate.

C. The Land, standing alone as a separate parcel, is of sufficient size and is suitably located to permit construction of the Improvements in accordance with the Site Plan and the Plans and Specifications, in compliance with all such requirements.

3. Good Architectural Practices. The Site Plan and the Plans and Specifications were drawn in accordance with good architectural and engineering practices.

4. Compliance With Laws and Quality Standards. The Site Plan and the Plans and Specifications comply with all applicable federal, state and municipal laws, rules and regulations, including, without limitation, the Federal Clean Air Act, as amended, and the Federal Clean Water Act, as amended, and state laws and regulations consistent with the requirements of said Acts; and the Project, if constructed in accordance with the Site Plan and the Plans and Specifications, will likewise comply with all applicable federal, state and municipal laws, rules, regulations and ordinances of every nature and description relating to the construction and the intended use thereof including, without limitation, all laws and regulations regarding handicapped access, including any requirements of Section 504 of the Rehabilitation Act of 1973, Titles II and III of the Americans with Disabilities Act (42 U.S.C. Section 12101 *et. seq.*), the Fair Housing Amendments Act of 1988 (Pub. L. 100-430, Sept. 13, 1988, 102 Stat. 1619, as amended), Chapter 151B of the Massachusetts General Laws, and the regulations at 521 CMR 1.00 *et. seq.*, promulgated by the Architectural Access Board pursuant to authority granted by M.G.L. c. 22, Section 13A. In addition and not in limitation of the foregoing, if constructed in accordance with the Plans and Specifications, the Project will, at a minimum, meet the Section 8 Housing Quality Standards for Existing Housing contained in 24 CFR 982.401 and the Lead-Based Paint Regulations issued by the U.S. Department of Housing and Urban Development pursuant to the Lead-Based Paint Poisoning Act.

5. Wetlands. We are familiar with the on-the-ground conditions of the Land, and the Land conditions are such that provisions of federal, state and municipal laws relating to the filing,

dredging, excavation or other usage of lands classified as wetlands or lands which are subject to periodic flooding or have thereon standing or moving bodies of water:

[] are not applicable to the construction of the Project;

[] are applicable to the construction of the Project and have been complied with in the following manner:

[insert names of permits which have been issued, dates of issuance and issuing authorities; attach copies of all permit listed]

6. Access; Utilities; Drainage. Satisfactory methods of access to and egress from the Land and adjoining or nearby public ways are available, sufficient to meet the reasonable needs of the Project and all applicable requirements of public authorities. Sanitary water supply and storm sewer and sanitary sewer facilities and other required utilities (including, without limitation, gas, electricity and telecommunications) are likewise available, sufficient to meet the reasonable needs of the Project and all applicable requirements of public authorities, at or within the lot lines of the Land. No easements over land of others are required for such means of access and egress or for any such utilities; and design conditions are such that no drainage of surface water across land of others is called for or indicated by the Site Plan and the Plans and Specifications [*or, if any easement is required, specify*]. Soil conditions are such that the load-bearing capacity of the soil under the Improvements is adequate to support the same, according to sound engineering practice followed in the area.

7. Easements. We have reviewed and are familiar with the location of all easements, rights-of-way, subsurface rights and the like in force relating to the Land, and recorded in the Registry of Deeds, and the Site Plan and the Plans and Specifications have been so prepared that the Improvements will not encroach over, across or upon any such easements, rights of way or subsurface rights and the like.

8. Permits and Approvals. All permits, licenses, approvals and the like ("Permits") required for the construction and intended use of the Project, including, without limitation, demolition permits, building permits, earth removal permits, curb-cut permits, water connection permits, sewer extension or connection permits, other permits relating to the use of utilities and permits required under the Federal Clean Air Act, as amended, the Federal Clean Water Act, as amended, and state law or regulations consistent with the requirements of said Acts, have been validly issued by appropriate authorities, are now in full force and effect, and true copies of which are attached to this certificate, as follows:

[insert names of permits which have been issued, dates of issuance and issuing authorities]

Construction of the Improvements is not, as of this date, sufficiently complete to make it possible to have secured the following permits, which also are required for the Project:

[if applicable, insert names of permits to be issued and issuing authorities]

It is the express opinion of the undersigned that the foregoing permits will be duly issued in the ordinary course of construction of the Improvements and upon the completion thereof.

9. Urban Renewal; Historic Districts. No part of the Land lies within any federal, state or municipal urban renewal area, historic district or the like specially designated area.

10. Floodplain. No part of the Land lies within: (i) a floodway or any federally designated "special hazard area" (i.e., an area having special flood, mudslide and/or flood-related erosion hazards, and shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map published by the Federal Emergency Management Agency as Zone A, A0, A1-30, AE, A99, AH, V0, V1-30, VE, V, M or E); (ii) any special floodplain, watershed or wetlands district; or (iii) any earthquake-prone area classified as a "Major Damage Zone" by the International Conference of Business Officials.

11. Identity of Plans and Specifications. The Plans and Specifications are identical to the plans and specifications for the Improvements which have been filed by the undersigned Architect with all governmental agencies having jurisdiction over the issuance of the necessary governmental construction permits, and are the same as the plans and specifications listed in the construction contract(s) pursuant to which construction of the Improvements is to be undertaken and include any plans and specifications for work required of the owner under all leases pertaining to the Improvements.

12. Ownership of Plans and Specifications. We hereby agree that the Site Plan and the Plans and Specifications are and shall remain the property of the owner of the Project subject to "appropriate compensation" as required in the agreement between said owner and the undersigned.

This certificate is given by the undersigned based on the undersigned's actual knowledge and professional expertise and experience concerning the matters discussed in this Certificate. The undersigned has had sufficient involvement in the Project to make the statements in this Certificate and has no knowledge of any inaccuracy herein.

Executed under seal this ____ day of _____, 200__.

RIGHT ANGLE ARCHITECTS LLP

By:

Name:

Title:

Hereunto duly authorized

SCHEDULE A: LIST OF PLANS AND SPECIFICATIONS