

**MEMORANDUM**

**SEPTEMBER 12, 2013**

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
DAVID CARLSON, SENIOR ARCHITECT, URBAN DESIGN

**SUBJECT:** HAYWARD PLACE, PARCEL C-6  
CENTRAL BUSINESS DISTRICT/BEDFORD WEST URBAN REVEWAL  
PLAN, MIDTOWN CULTURAL DISTRICT  
580 WASHINGTON STREET  
CERTIFICATE OF COMPLETION

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**SUMMARY:** This Memorandum requests that the Director be authorized to issue full and partial Certificates of Completion pursuant to the Cooperation Agreement Hayward Place by and between the Boston Redevelopment Authority (“BRA”) and MP Hayward Development Co LLC dated as of July 25, 2011 and the Land Disposition Agreement by and between the BRA and MP Hayward Development Co LLC for Hayward Place, Boston, Massachusetts, dated as of November, 2011, evidencing the successful completion of the Hayward Place Project (or such portions thereof as are addressed in a partial Certificate of Completion).

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**PROJECT DESCRIPTION**

On March 10, 2011, the Boston Redevelopment Authority (“BRA”) Board voted to approve the proposed Hayward Place Project on the 37,300 square foot site bounded by Avenue de Lafayette, Hayward Place, Harrison Avenue and Washington Street (now known as 580 Washington Street) in Downtown Crossing (the “Project”), as described in a Notice of Project Change submitted to the BRA by MP Hayward Development Co LLC (“Proponent”) on February 2, 2011 (“NPC”). As described in the NPC, the Project is a fifteen-story residential and retail building with approximately two hundred sixty-five (265) residential rental or for-sale units, approximately 12,000 square feet of ground floor retail space and approximately one hundred twenty-five (125) parking spaces in one (1) level of below-grade parking.

The BRA and the Proponent entered into a Cooperation Agreement dated as of July 25, 2011 (the “Cooperation Agreement”) and a Land Disposition Agreement dated as of November, 2011 (the “LDA”) in connection with the Project.

The Project is being completed in phases to facilitate closings and orderly move-ins, with the first phase anticipated to consist of the parking garage, ground floor (excluding retail space) and residential floors two (2) through eight (8). The BRA received a request from the Proponent for the issuance of a partial Certificate of Completion for the first phase of the Project. Pursuant to the Cooperation Agreement and the LDA, the BRA is required to respond to requests from the Proponent for the issuance of Certificates of Completion promptly and in any event within forty (40) days of its receipt thereof. In order to facilitate the review and issuance of the requested partial Certificate of Completion and future Certificates of Completion in a timely manner and in accordance with the Cooperation Agreement and the LDA, BRA staff recommend that the BRA authorize the Director to issue one or more partial Certificates of Completion with respect to the Project following a site/building inspection of the Project (or the applicable portions thereof) by BRA staff, receipt of the applicable Certificates of Occupancy and when otherwise appropriate in accordance with the Cooperation Agreement and the LDA. At completion of the construction of the entire Project, a full Certificate of Completion may be issued if so requested. BRA staff performed a site inspection on September 6, 2013 (see attached memo).

### **RECOMMENDATION**

In response to the Proponent's request for a partial Certificate of Completion, it is the recommendation of BRA staff that the BRA authorize the Director to issue (i) one or more partial Certificates of Completion with respect to the Project following a site/building inspection of the Project (or the applicable portions thereof) by BRA staff, receipt of the applicable Certificates of Occupancy and when otherwise appropriate in accordance with the Cooperation Agreement and the LDA, and (ii) a full Certificate of Completion when the construction of the entire Project is complete as evidenced by site/building inspection of the Project, receipt of Certificates of Occupancy for the entire Project, and when otherwise appropriate in accordance with the Cooperation Agreement and the LDA.

An appropriate vote follows:

**VOTED:** That the Director be, and hereby is, authorized to issue one or more partial Certificates of Completion or a full Certificate of Completion following a site/building inspection of the Hayward Place Project (or the applicable portions thereof) by BRA staff, receipt of the applicable Certificates of Occupancy issued by the City of Boston Inspectional Services Department and when otherwise appropriate in accordance with the Cooperation Agreement for the Hayward Place Project by and between the Boston Redevelopment Authority ("BRA") and MP Hayward Development Co LLC ("Proponent") dated as of July 25, 2011 (the "Cooperation Agreement") and the Land Disposition Agreement for the Hayward Place Project by and between the BRA and the Proponent dated as of

November, 2011 (the "LDA"), certifying in accordance with the provisions of the Cooperation Agreement and the LDA that the construction of the Hayward Place Project (or the applicable portions thereof) has been completed in compliance with all the terms and conditions of the Cooperation Agreement and the LDA.