

Langley Terrace Inclusionary Housing Plan

400 Langley Road, Newton, MA (the "Subject Property")

October 13, 2017, revised October 30, 2017

This document is submitted in connection with the Special Permit Application to the City of Newton dated September 11, 2017 by Langley Montrose LLC (the "Developer") for the Subject Property. The Developer has engaged LDS Consulting Group, LLC of 233 Needham Street, Newton, MA to assist with this matter.

As proposed, the subject property will include 18 new residential rental units and replace 2 housing units for a total of 20 rental units. The following sets forth the Developer's proposed Inclusionary Housing Plan in accordance with the City's Inclusionary Zoning Ordinance, Section 5.11 of the Zoning Ordinances (the "Ordinance").

As required by Section 5.11.4 of the Ordinance, the Developer will set aside no fewer than 15% of the residential units as inclusionary units. Therefore, the Developer has proposed that 2 units shall be for households earning at or below 50% of AMI and 2 unit shall be for households earning at or below 80% of AMI, for a total of 4 affordable housing units. This is a total 20% of all residential units, 5% more than required by the statute, and results in a blended rate of no more than 65% AMI as required by the Ordinance. Please see the table below for additional detail as to unit type and affordability:

AMI	Studio	1-Bed	2-Bed	Total
50%	1	1	0	2
80%	0	1	1	2
Total	1	2	1	4

The approximate size of these units and location of the units are set forth on the attached plan prepared by Perkins Eastman and dated September 7, 2017. The Developer notes that the size and location of units may change over time. Nevertheless, it is its intent to comply with all Fair Housing Rules and Regulations and evenly disburse the affordable units throughout the three buildings.

The next charts set forth the current income limits by level of affordability as set forth by HUD for the City of Newton which is located in the 2017 Boston-Cambridge-Quincy HUD area ("BCQ").

AMI	1 Person	2 Person	3 Person	4 Person
50%	\$36,200	\$41,400	\$46,550	\$51,700
80%	\$54,750	\$62,550	\$70,350	\$78,150

We have set forth an estimate of the gross rent and rent net of tenant paid utilities based on today's rent limits set forth by HUD for the BCQ and based on the City of Newton utility allowance schedule for high rise units dated October 1, 2016. We have assumed that the utility allowance ("UA") covers the cost of heat, hot water, and electricity that will be paid by the tenant. Rents will be reviewed and approved as part of the Local Action Unit (LAU) application and Regulatory Agreement.

2017 Maximum Allowable Rents (IZ Units)				
50%	Avg. Sq. Ft	Gross	UA	Net
Studio	397	\$905	\$109	\$796
1 Bedroom	798	\$970	\$156	\$814
80%	Avg. Sq. Ft	Gross	UA	Net
1-Bedroom	787	\$1,466	\$156	\$1,310
2-Bedroom	1,166	\$1,758	\$227	\$1,531

For a household with a Section 8 voucher, the rent and income will be as established by the Newton Housing Authority with the approval of HUD and in accordance with LAU standards.

It is the intent of the Developer that the Inclusionary Housing Units be qualified as "Local Action Units" pursuant to the requirements of the Comprehensive Permit Guidelines of DHCD, and therefore will take all steps necessary to make them eligible to be counted on the City of Newton Subsidized Housing Inventory.

In accordance with Section 5.11.9.B.4, to the extent allowed by the Massachusetts Department of Housing and Community Development ("DHCD"), the Developer will set aside 70% of the IZ units as local preference units.

Local preference shall be given for qualified applicants:

1. Any qualified applicants who fall within any of the following equally weighted categories:
 - a. Individuals or families who live in the City;
 - b. Households with a family member who works in the City, has been hired to work in the City, or has a bona fide offer of employment in the City; and
 - c. Households with a family member who attends public school in the City.

Preferences for dwelling units having features that are designed, constructed, or modified to be usable and accessible to people with visual, hearing, or mobility disabilities shall be given to qualified applicants in the following order:

1. First Preference shall be given to households that include a family member needing the features of the unit and having preference under one or more of the three categories listed above (Section 5.11.9.C.2);

2. Then to households that include a family member needing the features of the unit but that do not have a preference under one of the three categories listed in Section 5.11.9.C.2.; and
3. Then to households having preference under one or more of the three categories listed in Section 5.11.9.C.2.

No less than six months prior to the issuance the first certificate of occupancy, the Developer shall finalize the attached Affirmative Fair Marketing and Resident Selection Plan and have it approved by DHCD. The Developer agrees to execute and record a covenant with the Middlesex South Registry of Deeds that limits the rental of affordable units to eligible households in accordance with Section 5.11.9.G.2.

The Developer also agrees to provide an annual compliance report to the City of Newton's Director of Planning and Development.

Exhibit 1 – Floors Plans Showing Inclusionary Zoning Affordable Unit Locations

Affordable Units are Designated with an “A”

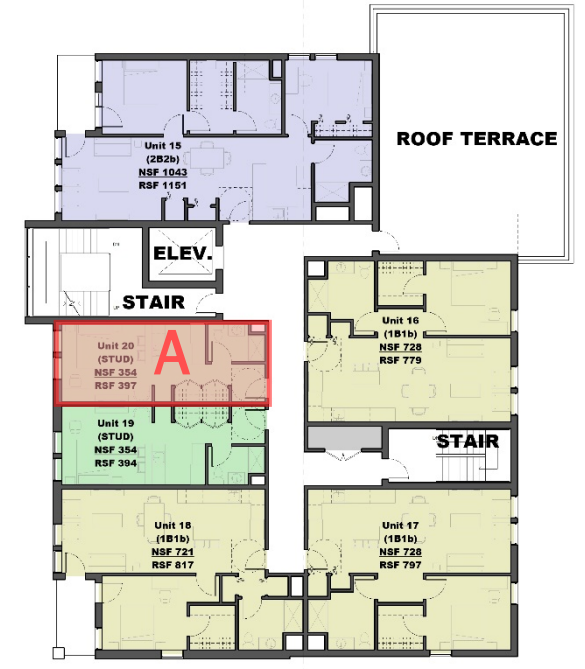
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First Level



Second Level



Third Level

	STUDIO	1B1b	2B2b	TOTAL	NUMBER OF AFFORDABLE UNITS	AFFORDABLE UNIT TYPE	AFFORDABLE UNITS TOTAL AREA	AFFORDABLE UNITS AVERAGE AREA
GARAGE	-	-	-	-				
LEVEL 1	2	3	2	7	1	2B2b	1214 SF	1214 SF
LEVEL 2	2	3	2	7	2	1B1b	1603 SF	802 SF
LEVEL 3	2	3	1	6	1	STUDIO	397 SF	397 SF
TOTAL	6	9	5	20	4			
AVERAGE AREA	396 SF	798 SF	1166 SF					

UNITS AVERAGE AREAS & AFFORDABLE UNITS

OCTOBER 19, 2017

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LANGLEY TERRACE

Affordable Rental Unit



Affirmative Fair Marketing and Resident Selection Plan

Table of Contents

- SECTION I. Marketing & Outreach
- SECTION II. Project Information Package
- SECTION III. Project Description
- SECTION IV. Eligibility & Preferences
- SECTION V. Lottery Process
- SECTION VI. Rental Application



EQUAL HOUSING
OPPORTUNITY

LANGLEY TERRACE, NEWTON – MARKETING PLAN

I. MARKETING & OUTREACH

Affirmative fair marketing and tenant selection of all the affordable units shall be conducted to provide maximum opportunity for moderate income households, including minority households to apply for the lottery.

Marketing and resident selection shall be in accordance with and adhere to all state fair housing laws. The developer and its representatives do not discriminate based on race, color, disability, religion, sex, sexual orientation, gender identify, veteran/military status, familial status, sexual orientation, national origin, age, genetic information, ancestry, children, familial status, or public assistance recipiency or any other basis prohibited by law. Persons with disabilities are entitled to request a reasonable accommodation of rules, policies, practices, or services, or to request a reasonable modification of the housing, when such accommodations or modifications are necessary to afford the persons with disabilities equal opportunity to use and enjoy the housing.

Once the Affirmative Fair Marketing and Resident Selection Plan has been approved by DHCD, will begin placing ads online on the websites noted herein.

The 60-day market and outreach and marketing period for Langley Terrace will begin on _____ with an application deadline of _____. Print Ads announcing the 60-day marketing period will run at least twice within the 60-day marketing period in the newspapers listed below approximately three to four weeks apart.

Print Advertisements:

1. Newton Tab and its local affiliates
2. El Mundo, Jamaica Plain
3. Sampan Newspaper, Boston
4. The Bay State Banner

In addition, notices will appear on the following websites:

1. Citizens' Housing & Planning Assoc. (CHAPA): Mass Access Registry: massaccesshousingregistry.org
2. Massachusetts Affordable Housing Alliance (MAHA)
3. City of Boston's Metropolitan Housing Opportunity Clearing Center (Metrolist):
Boston City Hall, P.O. Box 5996, Boston, MA 02114-5996 (617-635-3321)

Notices will also be sent to the following:

1. **Fair Housing Commissions:**
 - a. MA Commission Against Discrimination
 - b. Boston Fair Housing Commission, City of Boston Office of Civil Rights
 - c. Cambridge Human Rights Commission
 - d. City of Newton Fair Housing Committee
2. **Newton**
 - a. City of Newton Mayor's Office

LANGLEY TERRACE, NEWTON – MARKETING PLAN

- b. City of Newton Housing Planner
 - c. City of Newton, Newton Housing Partnership
 - d. City of Newton, Newton Council on Aging/Senior Center
 - e. City of Newton Public Schools
 - f. Newton-Needham Chamber of Commerce
 - g. Newton Housing Authority
 - h. Newton Free Library
 - i. Can-Do, Citizens for Affordable Housing in Newton Development Organization
 - j. Newton Community Development Foundation
- 3. Area Housing/Social Service Organizations**
- a. Advocates, Inc.
 - b. Metro-west Collaborative Development
 - c. Jewish Community Housing for the Elderly
 - d. Newton Wellesley Weston Committee for Community Living, Inc.
 - e. The Second Step
 - f. METCO
 - g. Allston Brighton CDC
 - h. Asian Community Development Corporation
 - i. Nuestra Comunidad
 - j. Massachusetts Association of Community Development Corporations
 - k. Boston Center of Independent Living
 - l. Viet Aid
 - m. Mission Hill Neighborhood Housing
 - n. Boston Tenant Coalition
- 4. Faith Based Organizations:**
- a. Great Boston Interfaith Organization
 - b. Black Ministerial Alliance of Greater Boston
 - c. Family Promise of Metrowest
- 5. Civic Groups:/ Other**
- a. YMCA of Newton
 - b. Elks Lodge
 - c. Family Access of Newton
 - d. American Legion Post 16.
 - e. Craig's List

Applications will also available at the Newton City Hall and Newton Public Library, as they have evening hours and ADA access.

II. PROJECT INFORMATION PACKAGE

The following sections contain information on the affordable housing program as well as the background, eligibility requirements, selection priority categories, and application process for the affordable rental units being offered through this lottery for Langley Terrace in the City of Newton.

Langley Terrace and the City of Newton invite you to read this information and submit an application if you think you meet the eligibility requirements. This lottery is the first step in the application process and does not assure you a unit.

The first rental units will be ready for occupancy on: _____, 201__.

The application deadline is _____, 201__.

Applications will be available from _____, and must be returned to _____, the Lottery Agent: *insert name and address*

An information session will be held on _____, 201__, to answer questions about the eligibility requirements, preferences for selections, and the lottery process. It will be held in **Newton Free Library**, which is a public place and has evening hours and ADA access, at **330 Homer Street, Newton, MA** at **6:00 pm**. *It is not mandatory, but recommended that interested applicants attend.*

Applicants will be notified in writing that their application has been received and if they are eligible for the lottery.

Eligible applicants will be assigned a registration number, which will be placed in the lottery.

LANGLEY TERRACE, NEWTON – MARKETING PLAN

III. PROJECT DESCRIPTION

Langley Montrose LLC is providing this affordable rental opportunity in accordance with Section 5.11 of City of Newton Zoning Housing By Law (the "IZ"). Twenty percent of the units are offered under the State's Local Action Units program ("LAU"). LAU's reflect a program component that gives the developer the opportunity to include qualified affordable housing rental units on the state's Subsidized Housing Inventory ("SHI") that were allowed without a Comprehensive Permit but which meet the states Local Initiative Program criteria.

The property is located at 400 Langley Road and 392-396 Langley Road in the Chestnut Hill Section of Newton, MA. Langley Terrace will be new construction of 20 rental apartments. The affordable units will be located throughout the building, with no distinguishing marks on the outside of the units.

A total of 20% of the units will meet the criteria of the IZ for a total of 4 IZ units, including 2 units offered for households earning up to 50% of AMI and 2 unit offered for households earning up to 80% of AMI. AMI stands for Area Median income and Newton is based in the Boston-Cambridge- Quincy, MA market area (the "Boston MSA"). Therefore, income limits change on a yearly basis as prescribed by HUD.

The affordable rental units will be a mixture of studio, one and two bedroom units. The chart below shows the average square footage of units offered as well as number of bathrooms, and number of units by unit type for each level of affordability:

	Studio	One	Two
Average Square Footage	397	787	1,214
Bathrooms	1	1	2
IZ Maximum 50%	1	1	0
IZ Maximum 80%	0	1	1

IZ units will have the use of common areas open to residents. Kitchens in the IZ affordable units will include a refrigerator, microwave, dischwasher, disposal and an in unit washer and dryer. The following table shows the estimated 2017 tenant rent. We have provided the actual rent for the 50% and 80% IL units net utilities.

Unit Type	IZ 50%	IZ 80%
Studio	\$796	
One	\$814	\$1,310
Two		\$1,531

Tenants are responsible for paying the full amount of rent each month. Rents are not based on each applicants income (unless they already have a Section 8 voucher or similar type voucher). Tenants will also be responsible for paying gas heat and hot water and electricity for the units. The rents are set annually using a calculation that determines the "affordable" rent, which is based on the Area Median Inocmes fo the Boston MSA.

LANGLEY TERRACE, NEWTON – MARKETING PLAN

All IZ units will have high end apartment grade finishes including steel front appliances

Since it is possible that there will be more interested and eligible applicants than available units, Langley Montrose LLC will be sponsoring an application process and lottery to rank the eligible applicants. The application and lottery process, as well as the eligibility requirements, are described in this plan.

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IV. INCOME ELIGIBILITY REQUIREMENT

Income:

The lottery agent will project a household's income over the next 12 months based on their current income and assets. In an effort to provide as accurate an income estimation as possible, the Lottery Agent will also review historical income data to provide a basis for future income estimates.

All sources of income are counted. This includes but is not limited to, Social Security, alimony, child support, overtime pay, bonuses, unemployment, severance pay, part-time employment, matured bonds, monies to be received in court settlements, and actual or imputed interest and dividends on bank accounts and other assets. All sources of income are counted with the exception of income from employment for household members under the age of 18 and any income over \$480/year for full time students who are dependents (but not that all such income must still be documented even if it is exempt from the household income calculation).

There is no asset limit for households applying for this rental development. However, the higher of the actual income earned from assets, or the imputed income of 0.06% of all assets, will be counted as income. Household Assets are calculated at the time of the application. Assets may include cash, net cash value of stocks, checking and savings accounts, investment accounts, CD's, net cash value of retirement accounts, bonds and capital investments etc.

You cannot have a co-signer for an IZ unit.

Financial documentation is required to participate in the lottery. A list of these documents is included in the application.

There is no difference in the appearance of the IZ from other market rate units in their respective buildings. The difference is in the eligibility criteria as households must earn under 80% of AMI to move into an IZ unit:

AMI	1 Person	2 Person	3 Person	4 Person
50%	\$36,200	\$41,400	\$46,550	\$51,700
80%	\$54,750	\$62,550	\$70,350	\$78,150

Screening:

In order to qualify for an affordable unit:

1. Households must have income and assets that qualify within the parameters as highlighted above.
2. Applicants will be subject to a screening by the project owner, including credit check. The affordable unit must be your principal, full-time residence; applicants may not own another home and may not own a home in trust.

LANGLEY TERRACE, NEWTON – MARKETING PLAN

3. Households cannot own a home, including in a trust, upon move-in. All homes must be sold before leasing a unit.
4. Households, or their families, cannot have a financial interest in the development and a household member cannot be considered a related party.

Xxx of the units will be disabled- accessible. All households may apply for the disabled-accessible units but households in need on an accessible unit will get top priority regardless if the unit is designated as local preference or not.

Minimum Income for IZ Apartments

Per the Leasing Office's policy that is also in place for market rate units, the rent to income ratio required to lease a unit is 40% (i.e. applicant's monthly income must be approximately 2.5 times the monthly rent).

Applicants may earn less than the minimum show below if they have sufficient savings from which to draw down. Otherwise, applicants will not be eligible for a lease if they earn less than the incomes shown below.

Applicants who receive a rental housing subsidy (like Section 8) are not subject to the minimum income requirements for the affordable units but, like all applicants, will have to pass reviews on credit scores, tenant history etc.

Insert chart with income calculation based on the then applicable rent

Recertification:

Tenants will be recertified annually for eligibility. If your household exceeds 140% of the maximum allowable income adjusted for household size, then at the end of the lease, you will have the option of staying in your unit and paying market rent or not renewing your lease.

The Lottery Agent, _____, will handle the annual recertification. Having the required successful prior experience in each component of the AFHMP, and the capacity to address matters related to limited English language proficiency, _____ is deemed qualified by the state as an affordable housing consultant.

V. LOTTERY PROCESS

The lottery will be held on _____ at 6:00 pm at Newton Free Library which has evening hours and ADA access, at 330 Homer Street, Newton, MA

Lottery Process:

LANGLEY TERRACE, NEWTON – MARKETING PLAN

1. All applications submitted prior to the application deadline will be reviewed for completeness and processed to confirm eligibility. Qualified households will be included in the lottery.
2. Eligible applicants will be notified in writing of their inclusion in the lottery. They will be assigned a lottery registration number, and given any further information.
3. The objective of these State subsidy programs is to provide housing to appropriate sized families:
 - There is at least one occupant and not more than two occupants per bedroom.
 - A married couple, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share, but shall not be required to share a bedroom.
 - A person described in the first sentence of (2) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.
 - A household may count an unborn child as a household member.

To this end, there will be a preference given in the lottery to households that need all of the bedrooms, in this case 2 bedrooms.

4. Regarding households in the process of divorce or separation, appropriate documentation must be provided.
5. Applicants do not need to attend the lottery to be eligible to rent an affordable unit. All applicants will be notified in writing of the outcome of the lottery. Lottery winners will be notified immediately following the lottery and will receive clear instructions regarding the Lease Agreement and terms of occupancy.
6. **There will be two lotteries, a Local Preference Lottery and an Open Lottery.** All local preference households are placed in both lotteries. All others are placed only in the Open Lottery. When applicable disabled-accessible apartments will be added in with other applicants for both lotteries.
7. **Local Preference shall be given for qualified applicants in the following order:**
Preference shall be given to any other qualified applicants who fall within any of the following equally weighted categories:
 - a. Individuals or families who live in the City;
 - b. Households with a family member who works in the City, has been hired to work in the City, or has a bona fide offer of employment in the City; and
 - c. Households with a family member who attends public school in the City.
8. A non-interested third party will draw the lottery numbers. **Note that the order of the numbers drawn does not necessarily reflect the order of households that will be selected as it may be adjusted due to household size.**

LANGLEY TERRACE, NEWTON – MARKETING PLAN

9. The top-ranking applicants will be offered to lease a unit. All applicants are subject to official income verification by the lottery agent and credit screening by the project owner.
10. A list of the remaining applicants will be maintained should a unit become available.
11. Applicants that have an opportunity to lease a unit are expected to occupy in a reasonable timeframe.

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VI. RENTAL APPLICATION

AFFORDABLE HOUSING APPLICATION

Application Deadline: _____

Applicant Legal Name _____ Phone Number _____ E-mail _____

Address _____ City _____ State/Zip _____

I learned of this lottery from (check all that applies):

Website: _____ Letter: _____

Advertisement: _____ Other: _____

This application is not complete if not filled out completely, signed and submitted with ONE COPY of the following documentation. Failure to provide a complete application package can delay the approval process and your ability to participate in the lottery.

REQUIRED INCOME VERIFICATION DOCUMENTS:

_____ Last 3 year's Federal tax returns (NO STATE RETURNS), including 1099's, W-2's and schedules, for every person living in the household over the age of 18

_____ 5 most current, consecutive pay stubs, for all salaried employed household members over 18. Six months of income for hourly and seasonal workers. For unemployment, disability or worker's compensation and/or severance pay, copies of checks or DOR verification stating benefits received.

_____ Child support and alimony: legal court document indicating payment amount.

_____ Self-employed: provide a detailed expense and income statement for the 5 months prior to the lottery, and 3 copies of business checking and savings accounts.

_____ Recent statements received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, etc.

_____ Asset statements showing current value including all bank accounts, investment accounts, retirement accounts, cash value of whole life policies, etc.

_____ Interest, dividends and other income from real or personal property.

_____ Unborn children may be counted as household members with proof of pregnancy.

_____ School registration for any full-time student for any household member over 18.

LANGLEY TERRACE, NEWTON – MARKETING PLAN

_____ If in the process of a divorce or separation, provide legal proof that the process has begun or been finalized.

HOUSEHOLD INFORMATION: List all members of your household including yourself

List all members of your household including yourself. Number of Bedrooms Needed: _____

	Names of all Persons to Reside in Dwelling (First Name, Middle Initial, Last Name)	Relation to Head	Age	Date of Birth	Minority Category * (Optional)
1					
2					
3					
4					

*Minority preference categories include only Native American or Alaskan Native, Black or African American, Asian, Native Hawaiian or Pacific Islander; or other (non-White); and the ethnic classification Hispanic or Latino. Requires a separate self-declaration document.

Do you have a Section 8 voucher? _____ Yes _____ No

Do you require a handicapped accessible unit? _____ Yes _____ No

INCOME: List all income of all members over the age of 18 listed on application to reside in the unit, such as wages, child support, Social Security benefits, all types of pensions, employment, Unemployment Compensation, Workman's Compensation, alimony, disability or death benefits and any other form of income; including rental income from property. Adults with no income are required to submit a notarized statement. If additional space is needed, please attach another sheet.

#	Source of Income	Address/Phone# of Source	Amount per Year
1			
2			
3			
4			
5			
TOTAL			

LANGLEY TERRACE, NEWTON – MARKETING PLAN

ASSETS: List all checking, savings accounts, CD's, stocks, bonds, retirement accounts, savings bonds and any other investments below. If additional space is needed, please attach another sheet. Household assets do not include necessary personal property.

#	Type of Asset	Bank/Credit Union Name	Account No	Value, Balance
1	Checking account			
2	Savings account			
3	Retirement account			
4	Other: _____			
5	Other: _____			
6	Other: _____			
			TOTAL	

EMPLOYMENT STATUS

Applicant's Name: _____

Occupation: _____

Present Employer: _____

Employer Address: _____

Name & Title of Supervisor: _____

Date of Hire: _____ Annual Gross Salary: _____

Co-Applicant's Name: _____

Occupation: _____

Present Employer: _____

Employer Address: _____

Name & Title of Supervisor: _____

Date of Hire: _____ Annual Gross Salary: _____

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APPLICANT(S) CERTIFICATION

1. I/We certify that our household size is ____ persons, as documented herein.
2. I/We certify that our total household income equals \$_____, as documented herein.
3. I/We certify that the information in this application and in support of this application is true and correct to the best of my/our knowledge and belief under full penalty of perjury. I/We understand that false or incomplete information may result in disqualification from further consideration.
4. I/We certify that no member of our family has a financial interest in the project.
5. I/we understand that being selected in the lottery does not guarantee that I/we will be able to lease a unit. I/we understand that all application data will be verified and additional financial information may be required, verified and reviewed prior to leasing a unit. I/We also understand that the project's owner will perform its own screening to determine eligibility.
6. I/We authorize _____ to verify all financial and household information and direct any employer, landlord or financial institution to release any information to _____ and the project owner to determine eligibility.
7. I/We understand that there may be differences between the market and affordable unit and accept those differences.
8. I/We understand that if my/our total income exceeds 140% of the maximum allowable income and at the time of annual eligibility determination, at the end of my current lease term I will no longer be eligible for the affordable rent.

I/We have completed an application and have reviewed and understand the process that will be utilized to distribute the available units. I/We am/are qualified based on the program guidelines and agree to comply with applicable regulations.

Applicant Signature

Date

Co-Applicant Signature

Date

THIS IS APPLICATION IS ONLY FOR THIS SPECIFIC DEVELOPMENT.

LANGLEY TERRACE, NEWTON – MARKETING PLAN

As of xxx day of xxx of 191_, as authorized representatives of Langley Montrose LLC and _____ lottery agent, respectively, each of us has reviewed this plan and agrees to implement this AFHMP, which shall be made effective as of the approval date. Further, by signing this form, [Developer] agrees to review and update its AFHMP as necessary in order to comply with all applicable statutes, regulations, executive orders and other binding DHCD requirements pertaining to affirmative fair housing marketing and resident selection plans reasonably related to such statutes, regulations, executive orders, as same may be amended from time to time. We hereby certify that all the information stated herein, as well as any information provided herewith, is true and accurate.

Langley Montrose LLC

By: _____

Hereunto duly authorized

_____ lottery agent

By: _____

Hereunto duly authorized

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