

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X

DEVELOP DON'T DESTROY BROOKLYN, et al., : Index No. 100686/06
 : IAS Part 35
 Petitioners, : Justice Edmead

For a Judgment Pursuant to Article 78 of the CPLR and :
Declaratory Judgment :

EMPIRE STATE DEVELOPMENT CORPORATION :
and FOREST CITY RATNER COMPANIES, :
 Respondents. : **AFFIDAVIT**

----- X

STATE OF NEW YORK)
 : ss.:
COUNTY OF KINGS)

MARTY MARKOWITZ, being sworn, states:

1. I am the Borough President of Brooklyn and a lifetime Brooklynite. I make this affidavit to express to this Court support for the Atlantic Yards Arena and Redevelopment Project (the "Project"). I understand that several elected officials from Brooklyn have submitted papers to this Court that support a motion for a preliminary injunction. I think that the Court should be aware of the fact that there are other elected officials, including myself, who are enthusiastically in favor of the Project.

2. I am an unqualified supporter of the Atlantic Yards project. This project will be a huge growth engine and will benefit a wide swath of our public with thousands of units of affordable and market rate housing, thousands of good, well paying jobs, and billions in new net tax revenues for the Borough, the City and the State. This project, through an extensive

Community Benefits Agreement, will ensure that our Borough's most disadvantaged and disenfranchised residents will have a real interest in this project, a real seat at the table, and will share in its benefits. This project will be the future of Brooklyn when it is completed. I am so proud to be a supporter.

3. Several years ago when I heard the New Jersey Nets basketball franchise might be placed for sale, I approached Bruce Ratner to try to persuade him to bring them to Brooklyn. I have known Bruce for many, many years and know him to be one of the most civic-minded of businessmen. Like many others in Brooklyn, I have always regretted Walter O'Malley's decision to move the Brooklyn Dodgers to Los Angeles, and I saw this as a way to right that wrong 50 years later by bringing another professional sports franchise to our wonderful Borough. Bruce was initially skeptical, but I persuaded him to take a look at whether it might work. We looked at a number of sites, including the Brooklyn Navy Yard, Red Hook and Coney Island, but agreed that the Atlantic Yards site, perched as it is adjacent to the third largest mass transit hub in the City and near the site of the proposed new Ebbetts Field, was the best possible site. Platforming over the unsightly open rail yards, which have separated four neighborhoods on all sides for decades, made good sense from an urban planning perspective. Bruce also persuaded me that a stand-alone arena in and of itself would not be economically feasible because of the huge infrastructure, land acquisition and construction costs, but as part of a larger project – which could also address our Borough's critical needs for affordable housing, good jobs and more public open space – this public/private project would be an amazing civic use project and economic development opportunity.

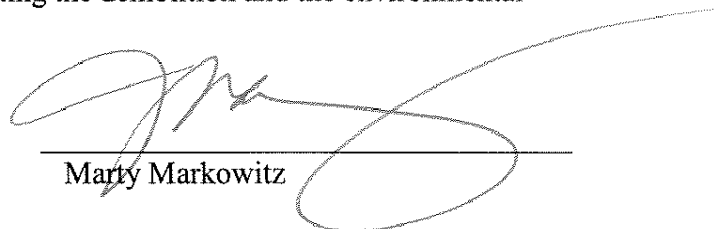
4. As noted above, I am not the only elected official who supports the Project. Annexed hereto collectively as Exhibit A are letters from twelve other elected officials,

including Governor Pataki, Senator Schumer (who lives in Park Slope), Congressman Towns, and members of the Legislature and the City Council all expressing their support for the Project. In addition, more than fifty Brooklyn civil and religious organizations have expressed their support for the Project in letters sent to the MTA when it was considering FCRC's bid to purchase the Vanderbilt Yards.

5. As this Court is aware, I represent the entire Borough of Brooklyn, and last November, I was elected to a second term for which I am most grateful. I have been to every neighborhood in this borough. I have spoken to virtually every neighborhood about the Project. I can say that Brooklynites overwhelmingly support this project and see it for what it is: the future of their Borough. A huge array of politicians of both parties have lined up in support of the project. That is not to say that the Project does not present challenges for the Borough, including traffic and its scale, among others, and that the Project's opponents, many of whom have legitimate and fair-minded concerns about the Project, should have input in shaping the Project. Many of those opposing the Project live in or quite near to the site, and their concerns must be addressed. I have worked tirelessly to represent their interests, too, and FCRC has listened to them at countless private and public forums. But more importantly, the Project is now going through an exhaustively detailed environmental review to analyze those issues and seek to mitigate them.

6. This lawsuit, however, seeks to undermine that review process and to delay or stop the Project in its tracks before even the environmental review has been completed. I have been informed of the buildings that FCRC seeks to demolish. I am aware of how many unsafe buildings have collapsed in this Borough recently, and how any good steward of its properties, like FCRC, would seek to place public health and safety in the forefront and eliminate

the risk of anybody getting hurt. I support FCRC's desire to protect Brooklynites from the dangers these buildings pose. The plaintiffs in this suit, by opposing what is plainly in our Borough's general public interest, have put their own single-minded self-interest in stopping the Project ahead of what is the right decision for our Borough. Whether the Project is approved or not, I have been informed that these buildings are a clear and present danger. As Brooklyn's Borough President, I believe the broader public interest must prevail, and I urge this Court to reject the plaintiffs' demand for an injunction halting the demolition and the environmental review.



Marty Markowitz

Sworn to before me this
9th day of February, 2006.



FREDERICK C. ARRIAGA
Notary Public, State of New York
No. 02AR5060858
Qualified in Kings County
Commission Expires May 28, 2006

EXHIBIT A

CHARLES E. SCHUMER
NEW YORK

United States Senate

COMMITTEES:
JUDICIARY
BANKING
RULES

June 24, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution – as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the considerable state- and city-wide benefits this project will provide. I believe, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

While the media have naturally focused on the sports arena, it is but one part of the package. Brooklyn Atlantic Yards will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn, and bring thousands of new jobs to the area, both in offices and in new retail stores as well as 15,000 union construction jobs over the course of the project. According to the estimates, the Arena will add another 400 jobs and – most importantly – serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,



Charles E. Schumer
United States Senator

EDOLPHUS "ED" TOWNS
MEMBER OF CONGRESS
10TH DISTRICT, NEW YORK

ENERGY AND COMMERCE
HEALTH
TELECOMMUNICATIONS AND
THE INTERNET

COMMERCE, TRADE, AND
CONSUMER PROTECTION

GOVERNMENT REFORM
GOVERNMENT MANAGEMENT,
FINANCE, AND ACCOUNTABILITY
RANKING MEMBER

Congress of the United States
House of Representatives
Washington, DC 20515-3210

June 23, 2005

WASHINGTON OFFICE:
SUITE 2232
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5936

BROOKLYN OFFICES:
26 COURT STREET, SUITE 1510
BROOKLYN, NY 11242
(718) 855-8018

1110 PENNSYLVANIA AVENUE
STORE 5
BROOKLYN, NY 11207
(718) 272-1175

1670 FULTON STREET
BROOKLYN, NY 11213
(718) 774-5682

2294 NOSTRAND AVENUE
BROOKLYN, NY 11203
(718) 434-7931

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project. I appreciate this opportunity to express my position on this important matter.


Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution – as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state- and city-wide benefits this project will provide. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

While there is much focus on the sports arena, it is but one part of the package. Brooklyn Atlantic Yards will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn, and bring 6,000 new jobs to the area, both in offices and in new retail stores as well as 15,000 union construction jobs. The Arena will add another 400 jobs and – most importantly – serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support the Brooklyn Atlantic Yards development. If you have any questions regarding my support of this important project please do not hesitate to contact me or my Chief of Staff, Karen Johnson, at (718) 855-8018.

With warmest wishes, I remain

Sincerely yours.


Edolphus "Ed" Towns
Member of Congress

MARTIN MALAVE DILAN
SENATOR, 17TH DISTRICT

ASSISTANT MINORITY LEADER
FOR CONFERENCE OPERATIONS

COMMITTEES
ELECTIONS
(RANKING MEMBER)
BANKS
CIVIL SERVICE & PENSIONS
EDUCATION
FINANCE
JUDICIARY
TRANSPORTATION



THE SENATE
STATE OF NEW YORK
ALBANY 12247

ALBANY
ROOM 606
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(518) 455-2177
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BROOKLYN
786 KNICKERBOCKER AVENUE
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FAX: (718) 573-2407

E-MAIL
DILAN@SENATE.STATE.NY.US

June 23, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017


Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution – as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state- and city-wide benefits this project will provide. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

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I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,

Martin Malave Dilan
State Senator

MMD/epg



CARL ANDREWS
SENATOR, 20TH DISTRICT

MINORITY WHIP

LEGISLATIVE OFFICE BUILDING
ROOM 413
ALBANY, NEW YORK 12247
(518) 455-2431
FAX: (518) 426-6856

DISTRICT OFFICE
572 FLATBUSH AVENUE
BROOKLYN, NEW YORK 11225
(718) 284-4700
FAX: (718) 282-3585

THE SENATE
STATE OF NEW YORK

RANKING MINORITY MEMBER
CIVIL SERVICE & PENSIONS

COMMITTEES:

BANKS
COMMERCE, ECONOMIC DEVELOPMENT &
SMALL BUSINESS
ENERGY & TELECOMMUNICATIONS
HEALTH
INSURANCE
JUDICIARY

June 23, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the Borough's ongoing evolution as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state and city-wide benefits that this project will generate. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which the project is planned, will allow a safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

While the media has naturally focused on the sports arena portion of the project, that is but one segment of the entire package. The Brooklyn Atlantic Yards will create thousands of units of affordable and market rate housing, which is desperately needed in Brooklyn. It will bring 6,000 new jobs to the area, both in offices and in new retail stores. It will also generate approximately 15,000 unionized construction jobs. The Arena will add another 400 jobs and, most importantly, serve as an economic engine, generating over \$6 billion in new tax revenues to the city and state for over 30 years. A much needed amenity for the community, the Arena will provide a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I respectfully request your consideration for the Brooklyn Atlantic Yards Development.

Sincerely,

Carl Andrews
Senator -20th District

CHAIRMAN
AGING

COMMITTEE MEMBER
BANKS
CODES
CRIME VICTIMS, CRIME
& CORRECTION
EDUCATION
INVESTIGATIONS
& GOVERNMENT OPERATIONS
TOURISM, RECREATION &
SPORTS DEVELOPMENT
VETERANS, HOMELAND SECURITY
& MILITARY AFFAIRS

THE SENATE
STATE OF NEW YORK



MARTIN J. GOLDEN
Senator, 22nd District

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FAX: (718) 238-6170

DISTRICT OFFICE:
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E-MAIL ADDRESS:
GOLDEN@SENATE.STATE.NY.US

June 20th, 2005

Hon. Peter Kalikow, Chairman
Metropolitan Transportation Authority
347 Madison Avenue
New York, N.Y. 10017

Dear Chairman Kalikow: *FEER*

As you know I have been a supporter of the Atlantic Yards Project since Forest City Ratner Companies proposed the development.

Atlantic Yards is an excellent next step for a borough that has been for some time undergoing a wonderful renaissance. In fact many astute observers look upon Brooklyn as one of our State's true diamonds for relocation to live and to do business. Of course there are many specific reasons to support this well planned project.

The Atlantic Yards Project will bring thousands of jobs to Brooklyn both from construction employment and permanent employment to follow. The project opens up thousands of square feet of first class office space as well new retail stores. And of course the arena will bring a professional sports team to Brooklyn and provide a place for amateur athletics, graduation ceremonies and other events.

The Atlantic Yards Project is good for Brooklyn and thus good for New York. I urge you to support its development.

Sincerely,


Martin J. Golden
Member of the Senate



THE SENATE
STATE OF NEW YORK

RANKING MINORITY MEMBER
SENATE AGING COMMITTEE

COMMITTEES:

CRIME VICTIMS CRIME & CORRECTION
ENERGY & TELECOMMUNICATIONS
FINANCE
INSURANCE
VETERANS HOMELAND SECURITY
& MILITARY AFFAIRS

CARL KRUGER

SENATOR
PART OF KINGS COUNTY

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EMAIL ADDRESS

KRUGER@SENATE.STATE.NY.US

June 17, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue
New York, New York 10017

Dear Members of the Board:

I am writing to express my strongest support for Forest City Ratner Companies' Atlantic Yards Project, which successfully addresses several urgent needs for Brooklyn and New York City – the need for jobs, the need for housing, the need for office space, the need for a more efficient and revitalized transportation hub, and the need for a major new arena that will serve as an important venue and as an architectural icon.

With Brooklyn well on its way toward achieving its greatest renaissance in half a century, Atlantic Yards is a critical component in this master plan.

Since the development was first announced in December 2003, Forest City Ratner Companies has worked conscientiously and sensitively to balance the needs of the existing communities and those who will live in, work in and visit the new Atlantic Yards complex. Forest City's proposed resulting plan will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn. The project will bring 6,000 new jobs to the area, both in offices and new retail stores, along with 15,000 union construction jobs.

The Atlantic Yards sports arena – with the obvious benefit of the Nets basketball team -- will add another 400 jobs and serve as an economic engine that will generate more than \$6 billion in new tax revenues to the city and state over 30 years. Atlantic Yards will also be a much-needed resource for the community, providing an ideal and accessible location for amateur athletics, graduation ceremonies and other events. The project will also result in the revitalization of the Vanderbilt Rail Yard, resulting in better service for many thousands of Long Island Rail Road (LIRR) riders each day.

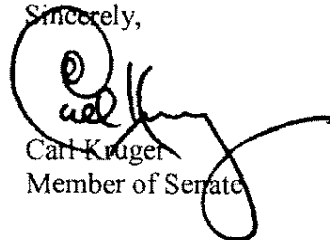
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Page 2 of 2.

Atlantic Yards is the culmination of a process that began, not coincidentally, with Forest City Ratner Companies' development of the MetroTech complex back in the 1980s. You will recall that many people were skeptical that MetroTech could achieve the goal of encouraging top-tier businesses from across the East River to Brooklyn. Forest City soon proved the skeptics wrong, and today, of course, MetroTech is a busy center of commerce, government and culture. Similarly, Atlantic Yards will help to further the profound and glorious vision that all of us with a stake in Brooklyn have seen coming: the day when Brooklyn rightfully assumes its place as an economic center of New York City, and a place that diverse communities are pleased to call home.

I urge you to support the Brooklyn Atlantic Yards development.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Kruger', with a large, stylized flourish extending to the right.

Carl Kruger
Member of Senate

KEVIN S. PARKER
SENATOR, 21ST DISTRICT

RANKING MINORITY MEMBER
ENERGY & TELECOMMUNICATIONS

COMMITTEES

AGRICULTURE

ALCOHOLISM & DRUG ABUSE

COMMERCE, ECONOMIC DEVELOPMENT
& SMALL BUSINESS

CORPORATIONS, AUTHORITIES
& COMMISSIONS

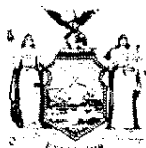
FINANCE

HIGHER EDUCATION

VETERANS, HOMELAND SECURITY
& MILITARY AFFAIRS

MINORITY CHAIRMAN

NEW AMERICANS TASK FORCE



THE SENATE
STATE OF NEW YORK

ALBANY OFFICE
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PHONE 718-629-6401
FAX 718-629-6420

e-mail:
parker@senate.state.ny.us

June 20, 2005

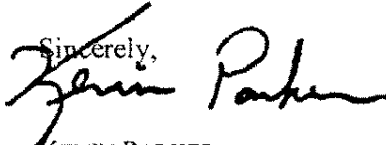
Katherine N. Lapp
Executive Director
Metropolitan Transportation Authority
347 Madison Avenue, 8th Floor
New York, New York 10017

Dear Ms. Lapp:

It is imperative that we search for methods to revitalize our community and its businesses. The Brooklyn Atlantic Yards project gives us the much-needed opportunity to do this, that is why I am writing to express my support for the Brooklyn Atlantic Yards Project.

The promising Atlantic Yards project will provide employment opportunities for nearly 15,000 construction workers and will create an estimated 6,000 new and permanent office jobs. The project will also generate a whopping \$6.1 billion in new tax revenue to the City and State over a 30-year period. In addition, to these many economical advantages the project will also provide an arena of dreams for our youth through the return of national sports to the borough.

I look forward to welcoming our new opportunity and neighbors to Brooklyn.

Sincerely,

KEVIN PARKER

ERIK MARTIN DILAN
COUNCIL MEMBER, 37TH DISTRICT
BROOKLYN

✓ DISTRICT OFFICE
387 ARLINGTON AVENUE
BROOKLYN, NY 11208
(718) 642-8664
FAX (718) 642-8639

CITY HALL OFFICE
250 BROADWAY
NEW YORK, NY 10007
(212) 788-7284
FAX (212) 227-9636

June 17, 2005



THE COUNCIL
OF
THE CITY OF NEW YORK

CHAIR - SUB COMMITTEE
SENIOR CENTERS

COMMITTEES

ECONOMIC DEVELOPMENT
STATE & FEDERAL LEGISLATION
AGING

PARKS & RECREATION

PUBLIC SAFETY

BUDGET NEGOTIATOR FOR BROOKLYN DELEGATION

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution – as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state- and city-wide benefits this project will provide.

While the media have naturally focused on the sports arena, it is but one part of the package. Brooklyn Atlantic Yards will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn, and bring 6,000 new jobs to the area, both in offices and in new retail stores as well as 15,000 union construction jobs. The Arena will add another 400 jobs and – most importantly – serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Erik Martin Dilan'.

Erik Martin Dilan
Council Member, 37th District, Kings

BILL deBLASIO
COUNCIL MEMBER, 39TH DISTRICT
BROOKLYN

DISTRICT OFFICE
2907 FT. HAMILTON PARKWAY
BROOKLYN, NY 11218
(718) 854-9791
FAX: (718) 854-1148

CITY HALL OFFICE
250 BROADWAY, 17TH FLOOR
NEW YORK, NY 10007
(212) 788-8868
FAX: (212) 788-8067
dblasio@council.nyc.ny.us



THE COUNCIL
OF
THE CITY OF NEW YORK

CHAIR —
GENERAL WELFARE

COMMITTEES
CIVIL SERVICE & LABOR
EDUCATION
ENVIRONMENTAL PROTECTION
FINANCE

June 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

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I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,

Bill de Blasio



THE COUNCIL
OF
THE CITY OF NEW YORK

LEWIS A. FIDLER
COUNCIL MEMBER, 46TH DISTRICT

DISTRICT OFFICE
1402 EAST 64TH STREET
BROOKLYN, NY 11234
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CITY HALL OFFICE
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CHAIRPERSON
YOUTH SERVICES COMMITTEE

COMMITTEES
FINANCE
HOUSING & BUILDINGS
IMMIGRATION
RULES, PRIVILEGES & ELECTIONS
STATE & FEDERAL LEGISLATION

June 16, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board,

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution – as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state-and citywide benefits this project will provide. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

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I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,

LEWIS FIDLER
Council Member 46th district – Brooklyn

MICHAEL C. NELSON
COUNCIL MEMBER, 48TH DISTRICT

CITY HALL OFFICE
250 BROADWAY
NEW YORK, NY 10007
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BROOKLYN, NY 11235
TEL: (718) 368-9176
FAX: (718) 368-9160



THE COUNCIL
OF
THE CITY OF NEW YORK

CHAIR
SMALL BUSINESS COMMITTEE
JEWISH CAUCUS

COMMITTEES
GOVERNMENTAL OPERATIONS
LAND USE
VETERANS

SUB-COMMITTEE
PLANNING, DISPOSITIONS & CONCESSIONS

June 17, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue
New York, New York 10017

Dear Members of the Board:

I am writing to express my support for the Atlantic Yards Project proposed by Forest City Ratner Companies.

Atlantic Yards is a critical part of the borough's on going evolution as one of the premier places in New York City in which to live and work. The proposed development will provide enormous benefits not just to Brooklyn but also to the entire city and state. In addition, the redevelopment of the Vanderbilt Rail Yard, over which the Atlantic Yards project is planned, will allow safer and more efficient servicing of the railroad cars, thereby improving service for the riders of the Long Island Rail Road (LIRR).

While great attention has been lavished on the sports arena and the obvious appeal of the Nets basketball team, Atlantic Yards presents numerous other benefits as well. The project will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn. It will bring 6,000 new jobs to the area, both in offices and new retail stores, along with 15,000 union construction jobs. The sports arena will add another 400 jobs and serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. Atlantic Yards will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other commercial and non-commercial events.

I urge you to support the Brooklyn Atlantic Yards development.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Nelson".

Michael C. Nelson
Council Member

JAMES SANDERS, JR.
COUNCIL MEMBER, 31ST DISTRICT

o LAURELTON OFFICE
220-07 MERRICK BLVD.
LAURELTON, NY 11413
(718) 527-4356
FAX (718) 527-4402

o ROCKAWAY OFFICE
70-10 SEAGIRT BLVD.
FAR ROCKAWAY, NY 11691
(718) 471-7014
FAX (718) 471-7391

o CITY HALL OFFICE
250 BROADWAY
NEW YORK, NY 10007
(212) 788-7216

EMAIL: sanders@council.nyc.ny.us



THE COUNCIL
OF
THE CITY OF NEW YORK

CHAIR
ECONOMIC DEVELOPMENT

COMMITTEES
CONSUMER AFFAIRS
FIRE/CRIMINAL JUSTICE SERVICE
TRANSPORTATION
WOMEN'S ISSUES

June 10, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue, 8th Floor
New York, New York 10017

Dear Members of the Board:

As Chair of the New York City Economic Development Committee, I believe the project will be a major boost to the residents and the economy of the Borough.

The Atlantic Yards project will generate economic activity beneficial to local businesses by employing some 15,000 construction workers and providing an estimated 6,000 new and permanent office jobs. Such economic activity will generate \$6.1 billion in new tax revenue to the City and State over a 30-year period. In addition, Forest City Ratner Companies is committed to building 2,250 units of affordable housing and another 2,250 units of market-rate rental apartment, as well as, 1500 condominium units.

To this end, the development of the Atlantic Yards will make a major contribution not only to the Borough of Brooklyn, but also the City of New York.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Sanders Jr.", written in dark ink.

James Sanders Jr.
Chair of Economic Development Committee
Council Member, 31ST District



ROGER L. GREEN
Assemblyman 57th District
Kings County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

COMMITTEE MEMBERSHIP
Black, Puerto Rican, Hispanic and
Asian Legislative Caucus
Cities
Environmental Conservation
Higher Education
Labor

June 22, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yards is part of the borough's ongoing evolution -- as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we shouldn't lose sight of the tremendous state- and city-wide benefits this project will provide. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

While the media have naturally focused on the sports arena, it is but one part of the package. Brooklyn Atlantic Yards will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn, and bring 6,000 new jobs to the area, both in offices and in new retail stores as well as 15,000 union construction jobs. The Arena will add another 400 jobs and -- most importantly -- serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support the Brooklyn Atlantic Yards development. Thank you.

Sincerely,

Roger L. Green

PLEASE REPLY TO:

DISTRICT OFFICE: 55 Hanson Place, 9th Floor, Brooklyn, New York 11217-1581, (718) 596-0100
 ALBANY OFFICE: Room 523, Legislative Office Building, Albany, New York 12248, (518) 455-6325



ROGER L. GREEN
Assemblyman 57th District
Kings County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

COMMITTEE MEMBERSHIP
Black, Puerto Rican, Hispanic and
Asian Legislative Caucus
Cities
Environmental Conservation
Higher Education
Labor

June 28, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue
New York, NY 10017

Dear Members of the Board,

It has come to my attention that Forest City Ratner Companies has decided to respond to a request for proposal concerning the sale and development of the Atlantic Yards properties which are currently owned by the Metropolitan Transportation Authority. Be assured that following an extensive review of the request for proposal that has been offered by the MTA and following a deliberative analysis of the proposal submitted by Forest City Ratner Companies and following a review of the Community Benefits Agreement that has been endorsed by the Association of Community Organizations for Reform Now (ACORN), Brooklyn United for Innovative Local Development (BUILD), Downtown Brooklyn Neighborhood Alliance (DBNA), All-Faith Council of Brooklyn (AFCB), First Atlantic Terminal Housing Committees (FATHC), New York State Association of Minority Contractors (NYSAMC, Public Housing Communities (PHC) and the Brooklyn Children Zone Consortium, I have concluded the following:

Housing

There is a housing crisis in the Borough of Brooklyn. Growing numbers of working families can no longer afford to live in the downtown Brooklyn community. African American and Latino families are being priced out of the housing market of downtown Brooklyn and this has created a pervasive "re-segregation" of neighborhoods in this area.

Forest City Ratner has signed an historic and groundbreaking agreement with The Association of Community Organizations for Reform Now (ACORN) which will help to reverse these dangerous trends. The agreement calls upon the project developer to make fifty percent

PLEASE REPLY TO:

- DISTRICT OFFICE: 55 Hanson Place, 3rd Floor, Brooklyn, New York 11217-1581, (718) 596-0100
- ALBANY OFFICE: Room 523, Legislative Office Building, Albany, New York 12248, (518) 455-5325

(50%) of the residential units affordable to low and moderate income families. This 50/50 program outlined in a Memorandum of Understanding (MOU) on May 17, 2005 will set aside half of 4,500 rental units for this important project. As part of this MOU, people who are currently residents of the community will be given the priority for affordable housing units. In addition, every legal renter who is displaced by the construction attendant to this project will be invited to rent a unit of equal size (and/or an equal number of bedrooms in the new residential buildings). These renters will pay the same rent they pay today with future rent increases set according to rent stabilization guidelines.

My office will be working with the appropriate city and state agencies responsible for protecting the housing rights of the elderly, retirees, and the disabled to insure that a safe and humane transition where necessary.

Commercial Property

Following the tragic attack on The World Trade Center (9/11) and following the recent approval by the City Council and the City Planning Commission of the Downtown Brooklyn Development Plan, Brooklyn's commercial real estate market has begun to demonstrate unprecedented growth.

In response to concerns that the developers proposal for 1.9 million square feet of commercial office space might be a burden on the infrastructure and the built environment of the local neighborhoods (Fort Greene, Prospect Heights, Park Slope), Forest City Ratner Companies is now offering up an alternative plan that would build 428,000 square feet of commercial space. Be assured that Forest City Ratner Companies have agreed to work with my office and other members of the Brooklyn Delegation (New York State Legislature) to develop private and public policies that will ensure an organic and manageable growth of its commercial real estate properties at Atlantic Yards. Forest City Ratner Companies has agreed to work with my office and other appropriate city and state agencies to ensure that there will be an enlightened investment of public monies for the infrastructure impacted by this project

Workforce and Development and Local Employment

Some neighborhoods surrounding the proposed Atlantic Yards project have been hard hit by unemployment. A recent report issued by the Community Service Society underscored the fact that fifty percent (50%) of African American males in New York City are unemployed. Within the public housing developments that are adjacent to this project, the unemployment rate is sixty seven percent (67%) for Fort Greene houses and seventy two percent (72%) for Farragut houses. The Community Benefit Agreement endorsed by Forest City Ratner Companies on June 23, 2005 establishes training, hiring, and referral initiatives for pre-construction, construction, and post-construction job opportunities. The Community Benefit Agreement places an emphasis on creating permanent jobs for minorities and women, and low to moderate income individuals. The Project Labor Agreement, The Construction Workers Labor Exchange, The School for Construction Technology should enhance opportunities for the unemployed and underemployed.

Brooklyn Children Zone

On June 23, 2005, Forest City Ratner signed an agreement with the Brooklyn Childrens Zone Consortium that established a planning and development initiative that will provide education, child development, youth development, family preservation, and higher education services as a part of the Atlantic Yards Project.

Forest City Ratner recognizes that upon the completion of 4,500 units of new housing for working families that there will be a need to increase capacity for schools, child health initiatives, sports, and recreation and family preservation programs. Forest City Ratner Companies have agreed to work with the Brooklyn Childrens Zone Consortium towards the development of four (4) schools that will be located in the Children Zone. First priority will be given to the creation of a high school that will have as its focus the study of construction technology, construction management, facilities management, and entertainment technology (The Cleveland Robinson Academy for Labor Studies). In keeping with the spirit of the Workforce Development initiative contained within the Community Benefits Agreement, students graduating from this school will receive a regents diploma and a union card and will be integrated into the job opportunities created as a result of the construction and post-construction work in and around the Atlantic Yards project. My office is currently coordinating meetings with local colleges, The New York City Department of Education, The New York State

Education Department, The Brooklyn Childrens Zone Consortium, and Forest City Ratner Companies.

Local and Minority Business Development

The Community Benefit Agreement endorsed by Forest City Ratner establishes a progressive precedent in which twenty percent (20%) of the total construction contract dollars of each development phase will go to minority owned firms and not less than ten percent (10%) of the total construction dollars for each development phase will go to qualified women owned firms. The agreement commits the same percentages to construction and post-construction contracts. The developer agrees to award not less than five percent (5%) of the total dollar value for pre-construction contracts. As part of a post-construction initiative that will enhance local and minority business participation within the commercial retail properties, the developer agrees to create incentives for not less than fifteen percent (15%) of the gross retail leasing space.

Intergovernmental Relations

Forest City Ratner has signed a Memorandum of Understanding with the Empire State Development Corporation in which ESDC will serve as the lead agency for the Atlantic Yards Project. In anticipation of the need for land use review, State Environment Quality Review and state authorization, the developer has agreed to work with the Brooklyn Delegation of the New York State Legislature to ensure that this project is open, democratic, and transparent.

Forest City Ratner Companies has agreed to work with my office toward identifying and developing any public and private policies that might improve upon the proposed development and upon the quality of life for the immediate and surrounding neighborhoods.

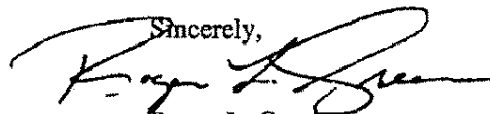
In conclusion, I would like to resolve that I have reviewed:

- The February 18, 2005 Memorandum of Understanding between ESDC and Forest City Ratner Companies

- The General Project Plan Developed by Forest City Ratner Companies
- The May 18, 2005 Memorandum of Understanding with ACORN – The Association of Community Organizations for Reform Now.
- The Master Plan developed for Brooklyn Atlantic Yards by Gehry Partners, LLP
- The June 27, 2005 Community Benefit Agreement signed by Brooklyn United for Innovative Local Development (BUILD), New York State Association of Minority Contractors (NYSAMC), Association of Community Organizations for Reform Now (ACORN), Brooklyn Children Zone Corporation (BCZC), Downtown Brooklyn Neighborhood Alliance (DBNA), First Atlantic Terminal Housing Committees (FATHC), and Public Housing Communities (PHC).

Whereas, the aforementioned documents demonstrate that this project will create affordable housing, increase job opportunities, enhance educational opportunities, increase local and minority business opportunities; and

- **Whereas**, Forest City Ratner Companies has agreed to purchase the Atlantic Yards at fair market value; and
- **Whereas**, Forest City Ratner Companies has committed to a planning and development process that will avoid the abuse of eminent domain and will respect an open and domestic process.
- **Whereas**, Forest City Ratner Companies have demonstrated a progressive and responsible commitment to the development of the Atlantic Yards Project and to the common wealth of Brooklyn, I respectfully urge the Board of Directors of the Metropolitan Transportation Authority to approve this important project.

Sincerely,

Roger L. Green



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

JOSEPH R. LENTOL
Assemblyman 50th District
Kings County

Chairman
Committee on Codes

COMMITTEES
Rules
Ways & Means
Ethics and Guidance
Election Law

PLEASE REPLY TO
District Office:
619 Lorimer Street
Brooklyn, New York 11211
(718) 983-7474

Albany Office:
Room 632, L.O.B.
Albany, New York 12248
(518) 455-4477

June 21, 2005

e-mail:
lentolj@assembly.state.ny.us

Metropolitan Transportation Authority
Board of Directors
347 Madison Avenue
New York, New York 10017

Dear Members of the Board:

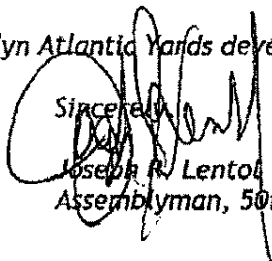
I am writing to you to express my support for Forest City Ratner's Atlantic Yards Project.

Forest City Ratner Companies' (FCRC) proposed development for Brooklyn's Atlantic Yards (Vanderbilt Yards) is part of the borough's ongoing evolution as one of the premier places in New York City to live and to do business. Although the benefits to Brooklyn will be enormous, we should not lose sight of the tremendous statewide and citywide benefits this project will provide.

Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Railroad.

The Atlantic Yards Project will create thousands of units of desperately needed affordable and market-rate housing, bring 6,000 new jobs to the area, as well as 15,000 union construction jobs. The arena will add another 400 jobs and - most importantly - serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support FCRC's Brooklyn Atlantic Yards development.

Sincerely,

Joseph R. Lentol
Assemblyman, 50th A.D.

JRL:kml



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

DARRYL C. TOWNS
Assemblyman 54th District
Kings County

□ DISTRICT OFFICE:
840 Jamaica Avenue
Brooklyn, New York 11208
(718) 235-5827
FAX (718) 235-5966

□ ALBANY OFFICE:
Room 841
Legislative Office Building
Albany, New York 12248
(518) 455-5821
FAX (518) 455-5591

CHAIR -
Veterans Affairs

COMMITTEES
Banks
Economic Development, Job Creation,
Commerce and Industry
Health
Mental Health

MEMBER
Puerto Rican/Hispanic Task Force

FIRST VICE CHAIR
Black, Puerto Rican, Hispanic & Asian
Legislative Caucus

June 23, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Avenue
New York, New York 10017

Dear Member of the Board:

It is an honor and privilege that I write this letter of support on behalf of the Forest City Ratner Companies' Atlantic Yards Project.

Forest City Ratner's proposed development for Brooklyn's Atlantic Yard is part of the borough's ongoing evolution, as one of the premier place in New York City to live and do business. Although the benefits will be enormous, we shouldn't lose sight of the tremendous state and citywide benefits this project will provide. Clearly, the redevelopment and revitalization of the Vanderbilt Rail Yard, over which this project is planned, will allow safer and more efficient servicing of the railroad cars, translating into better service for the riders of the Long Island Rail Road.

Brooklyn Atlantic Yards will create thousands of units of affordable and market-rate housing, which are desperately needed in Brooklyn, and bring 6,000 new jobs to the area, both in offices and in new retail stores as well as 15,000 union construction jobs. The Arena will add another 400 jobs and, most importantly, serve as an economic engine generating over \$6 billion in new tax revenues to the city and state over 30 years. It will also be a much needed amenity for the community, providing a place for amateur athletic, graduation ceremonies, and other events, commercial and non-commercial.

As a representative of the community of Brooklyn and the State of New York, I urge you to support the Brooklyn Atlantic Yards development. My office and staff are available for any kind of support that Forest City Ratner Company may need in order for them to be awarded this request.

Thank you for your consideration.

Sincerely,

Darryl C. Towns
Member of Assembly

NEW YORKERS FOR FIELDS

Milton E. Wilson, Treasurer

June 22, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Members of the Board:

I am writing to you to express my support for Forest City Ratner Companies' Atlantic Yards Project.

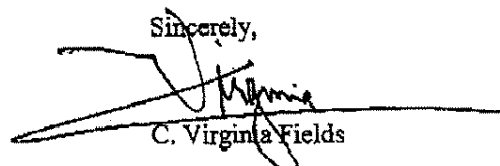
I support the Atlantic Yards Project because it will create thousands of units of desperately needed affordable and market-rate housing and bring 6,000 new jobs to the area. It will also create 15,000 union construction jobs.

I am impressed with the developer's agreement to set aside half of the apartments for middle and low income New Yorkers. And, I expect that Forest City Ratner Companies will also sign a promised jobs agreement guaranteeing jobs to the unemployed especially residents of the surrounding community and providing for the use of minority and women contractors and subcontractors.

The arena will be a much-needed amenity for the community, providing a place for amateur athletics, graduation ceremonies and other events, commercial and non-commercial.

I urge you to support FCRC's Brooklyn Atlantic Yards development. Thank you.

Sincerely,



C. Virginia Fields

123 WEST 126TH STREET
(Phone) 212.678.4954
Email: newyorkers4fields@verizon.net

Lower Level

NEW YORK, NY 10027
(Fax) 212-678-4286

Website: www.newyorkers4fields.com



COMPTROLLER OF THE CITY OF NEW YORK
1 CENTRE STREET
NEW YORK, NY 10007-2341
(212) 669-3500

WILLIAM C. THOMPSON, JR.
COMPTROLLER

July 1, 2005

Board of Directors
Metropolitan Transportation Authority
347 Madison Ave.
New York, NY 10017

Dear Board Members:

I write to express my support for the Forest City Ratner Company's Atlantic Yards Project in Brooklyn.

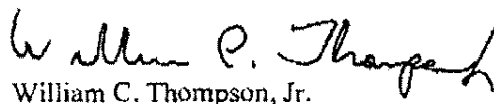
The Atlantic Yards Development includes thousands of units of affordable and market rate housing, a sports and entertainment arena and 7.5 acres of publicly accessible retail, office and open space. It is an ideal project for Brooklyn and a fine example of the renaissance that is occurring in all parts of the borough.

As an elected official representing the entire City, I am mindful of the thousands of construction and permanent jobs this project will create and the millions of dollars in revenue it will generate for both New York City and New York State.

I also am impressed by the Community Benefits Agreement between Forest City Ratner and numerous community groups. This Agreement will further ensure that jobs and affordable housing will be available to community residents.

I urge your support of Forest City Ratner's Brooklyn Atlantic Yards proposal.

Very truly yours,


William C. Thompson, Jr.



The Public Advocate for the City of New York

Betsy Gotbaum
Public Advocate

June 24, 2005

Forest City Ratner Companies
1 MetroTech Center North
Brooklyn, NY 11201

Dear Sirs:

I am writing in support of your proposed Atlantic Yards Project, a promising mixed-use development that would create jobs and much-needed housing, especially affordable housing.

In testimony before the City Council in May, 2004, I expressed support for the broad outline of the project and noted Forest City Ratner's positive record of working with the communities in which it builds, committing to affordable and middle-income housing, and creating jobs. I also urged you to negotiate with the community in good faith and respond appropriately to its concerns.

I am now satisfied that you are doing your part. In a city where large-scale development is often controversial—as we have seen recently on the West Side of Manhattan—I am impressed by the broad support for the Atlantic Yards Project from community leaders such as the Reverend Herbert Daughtry and public officials including Brooklyn Borough President Marty Markowitz; Speaker of the City Council Gifford Miller; Council Members Bill De Blasio, David Yassky, Sara Gonzalez, Yvette Clarke, James Sanders Jr., and Lew Fidler; State Senators Marty Golden and Kevin Parker; and State Assemblymen Roger Green and Joseph Lentol. In response to the strong affordable housing component, the Association of Community Organizations for Reform Now (ACORN) has also given its approval. This rare display of unity is a sign of how strong and beneficial to Brooklyn the project is.

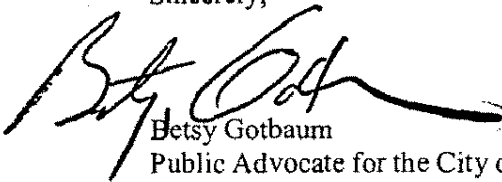
Projections indicate that the Atlantic Yards Project will bring in more than 15,000 union construction jobs—for which priority will be given to minority and female workers—around 6,000 permanent jobs, and an additional 400 jobs attached to the Nets arena, as well as an estimated \$6.1 billion in tax revenue for the City and State over the next thirty years. Perhaps most significantly, the project will create 4,500 rental units, half of which will be set aside for low- and middle- income families. It is my understanding that current residents will be given priority for affordable units, and every renter displaced by construction will be offered a unit in the new buildings at the same rent they currently pay. In addition, you are negotiating a legally-binding Community Benefits Agreement, committing to local job training for residents, small business and affordable housing



development, and the construction of community facilities. The agreement is an act of cooperation between local developers and the community that is unprecedented in our city.

The Atlantic Yards Project has earned public support and the approval of a broad cross-section of elected officials. I remain concerned about a number of issues, including the use of eminent domain to obtain property in the area, the allocation of public space, and the potential for traffic congestion. I am confident, however, that these issues can be resolved to the satisfaction of all concerned. I commend Forest City Ratner on its efforts, which I believe will bring great benefits to the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Betsy Gotbaum", with a long, sweeping horizontal line extending to the right.

Betsy Gotbaum
Public Advocate for the City of New York



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

MARTY MARKOWITZ
President

June 15, 2005

MTA Board of Directors
347 Madison Avenue
New York, NY 10017

Dear Members of the Board:

As Brooklyn Borough President, I am writing to express my support for the Atlantic Yards development proposal by Forest City Ratner because it reflects the best future for all of Brooklyn.

Brooklyn is experiencing unprecedented growth and investment. Although this success is yielding positive results across the borough, we must ensure that every Brooklynite has the opportunity to share in it. Significant numbers of residents remain unemployed or underemployed, and many tenants are being priced out of their neighborhoods. My support for the Forest City Ratner proposal is based on the fact that it will provide two things that Brooklyn desperately needs: jobs and affordable housing.

The Forest City Ratner commitment to building more than 2,000 units of affordable housing – including 10% set aside for seniors – is revolutionary. The more than 10,000 jobs that will be created at Atlantic Yards will be a historic achievement for the future of Brooklyn's economy. To document this commitment in a landmark Community Benefits Agreement demonstrates Forest City Ratner's devotion to making this project the best that it can be for Brooklyn. I am confident that as we continue to work together through a public process, community concerns such as traffic, parking, security, scale, urban design, and city-services, among others, will be addressed.

It is also important to remember that as a city of 2.6 million people, Brooklyn deserves an arena and a national sports franchise. An arena will not only be home to the Brooklyn Nets, it will be a valuable cultural venue, adjacent to the BAM Cultural District, for concerts, conventions, special events, circuses — and Hassidic weddings, just to name a few.

I know that if the Forest City Ratner proposal is selected by the MTA and we move forward with community support, we can truly make Atlantic Yards a win-win for Brooklyn and New York City. In the end, we will all say, "How sweet it is!"

Sincerely,



Marty Markowitz

MM:gda/rw/ed