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**SMITH & DOWNEY**

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January 7, 2005

U.S. Department of Labor  
Employee Benefits Security Administration  
Top Hat Plan Exemption  
200 Constitution Avenue, NW, Suite N-1513  
Washington, DC 20210

Re: Highbridge Community Development Corporation Executive Deferred Compensation Plan

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that, with respect to Highbridge Community Development Corporation Executive Deferred Compensation Plan, the Employer intends to utilize the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974 ("ERISA") described in that Section.

Pursuant to Regulations Section 2520.104-23(b), the following information is provided:

1. Name and Address of Employer\Plan Sponsor

Highbridge Community Development Corporation  
1465 Nelson Avenue  
Bronx, NY 10452

2. Employer Identification Number

13-386048<sup>7</sup>

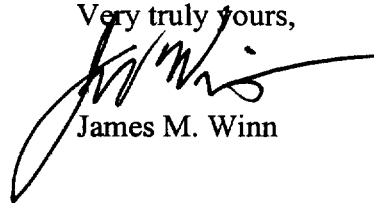
3. The Employer maintains the Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees. The number of initial participants in the Plan is one.

4. The Employer does not maintain any other arrangements providing deferred compensation and/or other benefits to a select group of management or highly compensated employees.

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Pursuant to Regulations Section 2520.104-23(b)(2), the Employer will provide plan documents to the Secretary of Labor upon request as required by Section 104(a)(1) of ERISA.

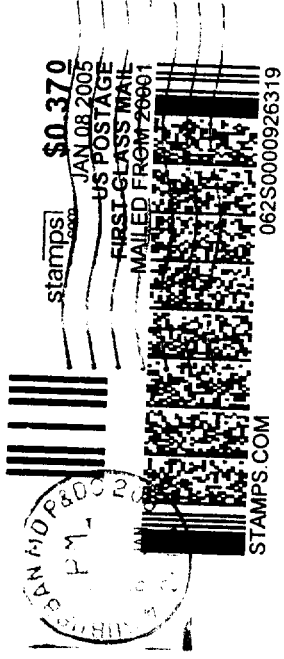
Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Winn', with a long horizontal flourish extending to the right.

James M. Winn

cc: Jorge L. Batista, Esquire

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