

BERKSHIRE INCOME REALTY INC

Form 8-K

November 09, 2004

UNITES STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 OR 15(d) of The Securities Exchange Act of 1934

Date of Report (Date of Earliest event reported) November 3, 2004

Berkshire Income Realty, Inc.

(Exact name of registrant as specified in its charter)

Maryland

(State or other jurisdiction of incorporation or organization)

001-31659

(Commission File Number)

32-0024337

(I.R.S. Employer Identification No.)

One Beacon Street, Boston, Massachusetts

(Address of principal executive offices)

02108

(Zip Code)

(Former name or former address, if changes since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 2.01 Completion of Acquisition or Disposition of Assets.

On November 3 and 4, 2004, Berkshire Income Realty OP, L.P. (the "OP") the operating partnership of Berkshire Income Realty, Inc. (the "Company"), through its newly formed and wholly owned subsidiaries; BIR Bridgewater, L.L.C., BIR Trellis L.L.C., BIR Arboretum L.L.C. and BIR Silver Hill, L.L.C., consummated the acquisitions of the following multifamily apartment communities:

Property Seller	Units	Location	Purchase Price	Date	
Bridgewater on the Lake	216	Hampton, VA	\$18,950,000.00	Nov. 3, 2004	F.C. Brid

Property	Units	Location	Purchase Price	1	Da
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Trellis at Lee's Mill	176	Newport News, VA	\$ 8,825,000.00	Nov. 3, 2004	F.C. Trellis Associates, L.L.C.*
Arboretum Place	184	Newport News, VA	\$10,575,000.00	Nov. 4, 2004	F.C. Arboretum Associates, L.L.C.*
Silver Hill at Arboretum	153	Newport News, VA	\$ 4,350,000.00	Nov. 4, 2004	F.C. Silver Hill Associates, L.L.C.*

In addition, on November 4, 2004, the Company acquired the vacant land adjacent to Arboretum Land Associates, L.P.

Item 9.01 Financial Statements and Exhibits

(a) Financial Statements of Businesses Acquired

Financial statement for the property acquired and noted in Item 2.01 herein are not available by amendment as soon as practicable, but not later than January 17, 2005.

(b) Pro Forma Financial Information

Pro forma financial information of the Company reflecting the properties acquired is not available at this time and will be filed by amendment as soon as practicable, but not later than January 17, 2005.

(c) Exhibits.

Exhibit 10.1 Purchase and Sale Agreement dated September 2, 2004, between F.C. Trellis Associates, L.L.C.*

Exhibit 10.2 Purchase and Sale Agreement dated September 2, 2004, between F.C. Bridgewater Associates, L.L.C.*

Exhibit 10.3 Purchase and Sale Agreement dated September 2, 2004, between F.C. Arboretum Associates, L.L.C.*

Exhibit 10.4 Purchase and Sale Agreement dated September 2, 2004, between F.C. Silver Hill Associates, L.L.C.*

Exhibit 10.5 Purchase and Sale Agreement dated September 2, 2004, between F.C. Arboretum Land Associates, L.L.C.*

*Previously filed as an exhibit to the Company's Current Report on Form 8-K, filed with the Commission on September 9, 2004.

SIGNATURES

Pursuant to the requirements of the Securities and Exchange Act of 1934, the Company has duly caused this Report to be signed on its behalf by the undersigned hereunto duly authorized.

Berkshire Income Realty, Inc.

Date: November 9, 2004

/s/ David C. Quade

Name: David C. Quade
Title: President and Chief
Financial Officer