

O-16-63
11/09/16

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL
AGREEMENT FOR TAX EXEMPTION WITH 160 EAST 22ND STREET
URBAN RENEWAL, LLC FOR PROPERTY KNOWN AS 160 EAST 22ND
STREET (BLOCK 464.01, LOT 2.02) IN THE CITY**

WHEREAS, 160 EAST 22ND STREET URBAN RENEWAL, LLC is the owner of certain property designated as Block 464.01, Lot 2.02 in the City of Bayonne, which is commonly known by the street location of 160 East 22nd Street in the City (the “**Property**”); and

WHEREAS, the Property is located within the boundaries of the City’s Urban Enterprise Zone; and

WHEREAS, 160 EAST 22ND STREET URBAN RENEWAL, LLC proposes to construct a project that will consist of Class A storage units containing 117,250 square feet pursuant to final site plan approval; (the “**Project**”); and

WHEREAS, 160 EAST 22ND STREET URBAN RENEWAL, LLC has applied to the City Council for tax exemption pursuant to the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq. (the “**Exemption Law**”) with respect to the Project; and

WHEREAS, the City Council finds that the requested tax exemptions will benefit the City and its inhabitants by furthering the development of the property, and that the benefits would substantially outweigh the costs, if any, associated with the tax exemptions; and

WHEREAS, the City Council further finds that the requested tax exemptions are important to the City and that without the incentive of the tax exemptions, it is unlikely that the Project will be undertaken; and

WHEREAS, as part of its application for a tax exemption, 160 EAST 22ND STREET URBAN RENEWAL, LLC has submitted a form of Financial Agreement (the “**Financial Agreement**”) providing for payments in lieu of taxes, a copy of which is attached to this Ordinance; and

WHEREAS, 160 EAST 22ND STREET URBAN RENEWAL, LLC has presented to this body certain financial information, copies of which are attached as exhibits to this Ordinance; and

WHEREAS, the City Council deems it to be in the best interest of the City to pass an Ordinance authorizing the City to enter into the proposed Financial Agreement with 160 EAST 22ND STREET URBAN RENEWAL, LLC on the terms and conditions stated in the applicable form of Financial Agreement attached to this Ordinance.

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne does hereby adopt the tax exemption for 160 EAST 22ND STREET URBAN RENEWAL, LLC:

Section 1. The development of the Project is hereby approved for the grant of a tax exemption under the Exemption Law by virtue of, pursuant to, and in conformity with the provisions of the Exemption Law.

Section 2. The Mayor is hereby authorized to execute the Financial Agreement with 160 EAST 22ND STREET URBAN RENEWAL, LLC in substantially the form attached hereto and subject to any further review, analysis or modifications that counsel may deem appropriate.

Section 3. During the term of the tax exemption with respect to 160 EAST 22ND STREET URBAN RENEWAL, LLC there shall be paid to the City in lieu of any taxes to be paid on the improvements of the Project, an annual service charge determined as provided in the Financial Agreement.

Section 4. Counsel is authorized to prepare, and the Mayor is hereby authorized to execute, any additional documents that may be necessary to implement and carry out the intent of the Financial Agreement.