

O-17-44
08/16/17

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
NEW JERSEY APPROVING THE APPLICATION AND FINANCIAL
AGREEMENT FOR TAX EXEMPTION WITH NORTH STREET
PROPERTIES URBAN RENEWAL, LLC FOR THE PROPERTY KNOWN AS
105.5 NORTH STREET (BLOCK 295, LOTS 16 AND 17) IN THE CITY OF
BAYONNE**

WHEREAS, NORTH STREET PROPERTIES URBAN RENEWAL, LLC is the owner of certain property designated as Block 295, Lots 16 and 17 in the City of Bayonne, which is commonly known by the street location of 105.5 North Street in the City (the “**Property**”); and

WHEREAS, at the discretion of the City Council, the Planning Board prepares and recommended adoption of a proposed redevelopment plan; and

WHEREAS, the Property has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Local Redevelopment and Housing Law**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, on April 20, 2016, the City duly adopted O-16-18 approving the redevelopment plan entitled “Redevelopment Plan Block 295, Lots 16-17 105.5 North Street” (and as same may be further amended from time to time, the “**Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, the proposed project to be undertaken on the Property consists of the construction of a 72-unit multi-family residential building with 90 parking spaces as well as related improvements as approved by the City of Bayonne Planning Board (the “**Planning Board**”) on January 10, 2017 and as memorialized in Resolution P-16-044 adopted on February 14, 2017 (the “**Project**”); and

WHEREAS, NORTH STREET PROPERTIES 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, NORTH STREET

PROPERTIES 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, NORTH STREET PROPERTIES 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 NORTH STREET PROPERTIES 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 NORTH STREET PROPERTIES URBAN RENEWAL, LLC as follows:

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 NORTH STREET PROPERTIES 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 NORTH STREET PROPERTIES 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.