

**AN ORDINANCE TO APPROVE A LONG-TERM TAX EXEMPTION
AND FINANCIAL AGREEMENT BETWEEN THE CITY OF NEW BRUNSWICK
AND THE STANDARD AT NEW BRUNSWICK URBAN RENEWAL, LLC**

BE IT ORDAINED by the New Brunswick City Council as follows:

SECTION I

City Council finds and determines as follows:

(A) The Standard at New Brunswick Urban Renewal, LLC (the "Entity") is the owner of a Project within the City of New Brunswick Urban Enterprise Zone.

(B) The aforesaid Urban Renewal Project is being undertaken by the Entity for the parcel at 90 New Street and shown as

BLOCK 129 LOTS 5.01

on the Official Tax Maps of the City for purposes of development a mixed use project consisting of approximately 2,000 square feet of commercial space and approximately 186 residential apartments.

(C) The Entity shall be authorized to do business as an urban renewal entity under the laws of New Jersey pursuant to the provisions of the long-term tax exemption law, *N.J.S.A. 40A:20-1, et seq.* for the development of the project.

(D) The City Council of the City of New Brunswick has determined that the development of the project will result in the provision of commercial space as well as residential housing intended to be directed towards the off-campus student housing market to address the growing need for housing generated by the continuing increase in enrollment at Rutgers University and that the increase in modern, safe, purpose-built housing for the student market will benefit the City and its residents when compared to the cost of the tax abatement and that the abatement approved herein is essential to the project which would not be feasible without the tax abatement approved by this Ordinance.

SECTION II

APPROVAL OF EXEMPTION FROM TAXATION

An exemption from taxation as set forth in the Application is hereby approved and granted to the Entity with respect to the Project in accordance with the terms set forth in the Financial Agreement; provided that in no event shall the term of the Financial Agreement exceed the earlier of thirty-five (35) years from the date of execution thereof or (ii) to the extent permitted by the LTTE Law, thirty (30) years from the Entity's receipt of a Certificate of Occupancy (as defined in the Financial Agreement) for the Project and only so long as the Entity remains subject to and in compliance with the Financial Agreement and the LTTE Law and any other agreement related to the Project or the Property; and provided, further, that in no event shall the resulting property tax obligation in each year the property tax exemption is in effect, when combined with the Annual Service Charge as defined in the Financial Agreement, be less than the amount of the Land Taxes (as defined in the Financial Agreement) prior to redevelopment.

SECTION III

EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

(a) The Mayor, in consultation with legal counsel to the City, is hereby authorized and directed to execute the Financial Agreement, substantially in the form as it has been presented to the City Council, and attached hereto as **Exhibit A**, subject to additions, deletions, modifications, or revisions deemed necessary and appropriate in consultation with counsel, and any other agreements necessary to effectuate the Financial Agreement.

(b) The Clerk of the City is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III (a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the City upon such document.

(c) Within thirty (30) days of its execution, the City Clerk shall file certified copies of this ordinance and the executed Financial Agreement with the Tax Assessor of the City and shall forward a certified copy of this Ordinance and the executed Financial Agreement to the Director of the Division of Local Government Services within the New Jersey Department of Community Affairs in accordance with Section 12 of the LTTE Law.

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2018.

MAYOR

APPROVALS:

CITY ADMINISTRATOR



CITY ATTORNEY

DIRECTOR OF PLANNING, COMMUNITY
AND ECONOMIC DEVELOPMENT

TKS/kc