

1 **..Title**

2 **Payments in Lieu of Taxes Agreement with Forest Drive LIHTC, LLC** - For the purpose of
3 approving a Payment in Lieu of Taxes Agreement between the City of Annapolis and Forest Drive
4 LIHTC, LLC, for the construction of affordable housing units in Annapolis, Maryland.

5 **..Body**

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7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Resolution 34-23**

11 **Introduced by: Mayor Buckley**
12 **Co-sponsored by: Ald. Gay, Ald. Schandelmeier**

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14
15 **A RESOLUTION** concerning

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18 **Payments in Lieu of Property Taxes -- Forest Drive LIHTC, LLC**
19

20 **FOR** the purpose of approving a Payment in Lieu of Taxes Agreement between the City of
21 Annapolis and Forest Drive LIHTC, LLC, for the construction of affordable housing
22 units in Annapolis, Maryland.

23
24 **WHEREAS,** The Owner is the contract purchaser of real property at 1701 Forest Drive,
25 Annapolis, Maryland, known as The Willows at Forest Drive, and as more
26 particularly described as Tax Account Numbers 6000-0631-6800, 6000-9010-
27 2218, 6702-9009-9221, and 6702-9009-9222 (the "Property"); and

28 **WHEREAS,** The Owner intends to develop 58 dwelling units at the Property, 58 of which will
29 operate as a qualified low-income housing units within the meaning of S
30 42(g)(1)(B) of the Internal Revenue Code of 1986 (26 U.S.C. §42), as may be
31 amended (collectively, "26 U.S.C. §42") (the "Project"); and

32 **WHEREAS,** The City is seeking to assist the Owner in providing habitable and affordable
33 housing at the Property; and

34 **WHEREAS,** under § 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland,
35 subsidized housing for low- and moderate-income persons is exempted from real
36 property taxes levied or imposed by a county or municipal corporation if the
37 Owner and City enter into a Payment in Lieu of Taxes agreement and certain
38 criteria are met and maintained; and

39 **WHEREAS,** the parties are entering into this Agreement to allow for such purposes, which is
40 authorized pursuant to Resolution 34-23 of the City Council of the City of
41 Annapolis.

Explanation:

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining & black indicates copyediting or reformatting of existing law

Underlining & red indicate new matter added to the code.

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2 **NOW, THEREFORE, BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that ,
3 in accordance with § 7-506.1 of the Tax-Property Article of the State Code, there is an
4 exemption from City real property taxes for the real property known as The Willows at Forest
5 Drive, which is located at 1701 Forest Drive, one unnumbered parcel on Forest Drive, and two
6 unnumbered parcels on East Juliana Circle, Annapolis, Maryland 21401, currently identified
7 under the Tax Account Numbers 6000-0631-6800, 6000-9010-2218, 6702-9009-9221, and 6702-
8 9009-9222 (“Property”).

9
10 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that these
11 exemptions and payment in lieu of taxes shall not take effect until the requirements of § 7-
12 506.1(a) of the Tax-Property Article of the State Code are met, and shall take effect in
13 accordance with the terms of the PILOT Agreement between the City of Annapolis and Forest
14 Drive LIHTC, LLC.

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16 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the
17 attached draft Payment in Lieu of Property Taxes Agreement between the City of Annapolis and
18 Forest Drive LIHTC, LLC includes is an approved example of the agreement to result from this
19 resolution

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21 **AND BE IT FINALLY RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that this
22 resolution shall take effect upon passage and the City Manager is hereby authorized to prepare
23 the PILOT agreement with the appropriate terms and conditions necessary to implement the
24 intent of this resolution.