



Legislation Text

File #: R-34-23, Version: 1

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

**CITY COUNCIL OF THE
City of Annapolis**

Resolution 34-23

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

A RESOLUTION concerning

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

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

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

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

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

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

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

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

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

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

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