

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 5

Bill No. 17-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

and by Ms. Pickard

By the County Council, March 6, 2023

Introduced and first read on March 6, 2023
Public Hearing set for and held on April 3, 2023
Bill Expires June 9, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Payment in Lieu of Taxes – The Villages at Marley Station,
2 Glen Burnie, Maryland – Amendment

3
4 FOR the purpose of authorizing the County Executive to enter into a certain amendment to
5 the agreement for payment in lieu of County real property taxes for a certain property
6 located in Glen Burnie, Maryland.

7
8 WHEREAS, Anne Arundel County Council Bill No. 67-22, enacted on July 25,
9 2022, approved the terms and conditions for payments in lieu of taxes (“PILOT”)
10 for property located at 7841 Bruton Drive, Glen Burnie (the “Property”), and
11 authorized the County Executive to enter into a PILOT Agreement (the
12 “Agreement”);

13
14 WHEREAS, the parties entered into the Agreement on September 12, 2022;

15
16 WHEREAS, it has been demonstrated that it has become necessary to amend the
17 terms of the Agreement pertaining to the number of units available for households
18 of limited income; now, therefore,


19
20 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
21 That the County Executive is hereby authorized to enter into the Amendment to Agreement
22 between Anne Arundel County and Fairfield Marley Station LP, the owner of the Property,
23 as more fully described in the Amendment to Agreement, attached to this Ordinance as
24 Exhibit A.

1 SECTION 2. *And be it further enacted*, That, all other terms and conditions of Bill No.
2 67-22 and the Agreement not specifically changed in the Amendment to Agreement shall
3 remain in full force and effect.


4
5 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
6 from the date it becomes law.

READ AND PASSED this 3rd day of April, 2023

By Order:


Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 4th day of April, 2023


Laura Corby
Administrative Officer

APPROVED AND ENACTED this 14th day of April, 2023


Steuart Pittman
County Executive

EFFECTIVE DATE: May 29, 2023

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 17-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Laura Corby
Administrative Officer

**AMENDMENT TO AGREEMENT BETWEEN
FAIRFIELD MARLEY STATION LP
AND ANNE ARUNDEL COUNTY, MARYLAND**

THIS AMENDMENT TO AGREEMENT, made this _____ day of _____, 2023, by and between Anne Arundel County, Maryland, a body corporate and politic (hereinafter referred to as the “County”), and Fairfield Marley Station LP, a limited partnership formed in the State of Delaware (hereinafter referred to as the “Owner”).

WHEREAS, pursuant to Anne Arundel County Council Bill No. 67-22, adopted on July 25, 2022, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for payments in lieu of taxes for seven hundred and fifty-seven (757) units of rental housing, located at 7841 Bruton Drive, Glen Burnie, currently identified under the Tax Account Number 3000-2066-7800 (the “Property”), for the purpose of providing rental housing to low income households (the “Project”); and authorized the County Executive to enter into the payment in lieu of taxes Agreement (the “Agreement”);

WHEREAS, the parties entered into the Agreement on September 12, 2022 (the “Agreement”);

WHEREAS, the Owner has demonstrated to the County that an amendment to the Agreement is necessary;

WHEREAS, pursuant to Anne Arundel County Council Bill No. ____-23, adopted _____, the County Council of Anne Arundel County, Maryland, approved the terms and conditions for payments in lieu of taxes for the Project, and authorized the County Executive to enter into this Amendment to Agreement; and

NOW, THEREFORE, THIS AGREEMENT, WITNESSETH: In consideration of the mutual covenants, terms, and agreements hereof and pursuant to the power and authority of

§ 7-506.1 of the Tax-Property Article of the Annotated Code of Maryland, it is agreed as follows:

1. Paragraph 1(b) of the Agreement shall be replaced with the following: “(b) that, with Payment in Lieu of Taxes (“PILOT”), it will make at least five hundred eighty-four (584) units (including vacant units) available to households earning 60% and below the area median income; and as of December 31, 2026, it will make at least seven hundred and forty-five (745) units (including vacant units) available to households earning 60% and below the area median income.”

2. In Paragraph 9 of the Agreement, “July 1, 2022” shall be replaced with “July 1, 2023”.

3. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the County has caused this Amendment to Agreement to be signed in its name by the County Executive, to be attested to by the Secretary of the County Executive, and to have the County Seal affixed hereto; and the Owner has caused this Agreement to be signed in its name by its General Partner, duly attested to by its Secretary.

ATTEST:

Fairfield Marley Station LP,
a Delaware limited partnership

By: FRH Marley Station LLC,
a Delaware limited liability company,
its General Partner

By: FRH GP LLC,
a Delaware limited liability company,
its Non-Member Manager

By: _____

Name:

Title:

ATTEST:

ANNE ARUNDEL COUNTY, MARYLAND

By: _____ (Seal)
Christine M. Anderson
Chief Administrative Officer

APPROVED FOR FORM AND LEGAL SUFFICIENCY
ANNE ARUNDEL COUNTY, MARYLAND
GREGORY J. SWAIN, COUNTY ATTORNEY

By: _____
Office of Law

Date

APPROVED:

By: _____
Controller

Date