

**CITY OF BALTIMORE**  
**RESOLUTION \_\_\_\_\_**  
**Council Bill 07-0700**

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Introduced by: The Council President  
At the request of: The Administration (Baltimore Development Corporation)  
Introduced and read first time: June 4, 2007  
Assigned to: Taxation and Finance Committee

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: August 13, 2007

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**A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING**

**Payments in Lieu of Taxes – Ward 03, Section 06**  
**Block 1800, Lot #0001**  
**“701 Aliceanna Street”**

FOR the purpose of authorizing an economic development project to be known as “701 Aliceanna Street”, in order that the Board of Estimates of Baltimore City (the “Board”) may enter into a Payment in Lieu of Taxes Agreement with Harbor East Parcel D-Acquisition, LLC, its successors or assigns (the “Owner”) covering a portion of the Owner’s property, consisting of (i) office space consisting of approximately 500,000 rentable square feet, and (ii) a structured parking facility containing approximately 1,200 parking spaces and related improvements; generally relating to payments in lieu of taxes for the 701 Aliceanna Street development; and providing for a special effective date.

By authority of  
Article - Tax - Property  
Section 7-504.3  
Annotated Code of Maryland

**Recitals**

The Owner is the owner of Parcel D that is described on a Plat titled “Resubdivision of Parcels B, D, and P - Inner Harbor East II” recorded in the Land Records of Baltimore City in Plat Records F.M.C. No. 3718. The Owner intends to develop on Parcel D a mixed use development that will include a hotel, residential condominiums, office space, retail space, and a garage (the “Project”). The office portion of the Project will contain approximately 500,000 net rentable square feet (the “Office Space”) in a single building (the “Office Building”), and the garage facility will contain approximately 1,200 parking spaces and related improvements (the “Garage”).

Section 7-504.3 of the State Tax-Property Article, as enacted by Chapter 643, Acts of 1999, authorizes the Board, subject to certain findings by the Board and to the enactment of an authorizing Resolution of the Mayor and City Council, to negotiate a payment in lieu of taxes (a “PILOT”) for major economic development projects that meet certain criteria.

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter stricken by amendment.

**Council Bill 07-0700**

1 It is understood that the PILOT Agreement will require compliance with the Minority and  
2 Women’s Business Enterprises (MBE/WBE) Program in the Project.

3 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That,  
4 subject to the conditions specified in this Resolution, the Project is authorized for purposes of  
5 allowing the Board to enter into a PILOT Agreement with Harbor East Parcel D-Acquisition.  
6 LLC, its successors or assigns, for the Office Space and the Garage, in accordance with § 7.504.3  
7 (b)(3) of the Tax-Property Article of the Annotated Code of Maryland.

8 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this authorization is subject to the  
9 condition that the Project not house or otherwise involve (i) gambling activities beyond that  
10 allowed by law as of January 1, 1999, or (ii) activities related to any game not authorized by the  
11 Maryland State Lottery, and is further contingent on the Owner entering a lease with a single  
12 commercial office tenant for a minimum of 300,000 square feet, which tenant previously leased  
13 office space in the City.

14 **SECTION 3. AND BE IT FURTHER RESOLVED,** That this authorization is in the best interest of  
15 the City and will achieve significant public benefits and purposes, (i) including the  
16 encouragement of the economic development of the City, including the use of resources and  
17 entrepreneurial talents of the private sector to develop the Inner Harbor East Urban Renewal  
18 Area, of which Parcel D is a part, (ii) the creation of job opportunities, and (iii) the general  
19 promotion and improvement of the City and its facilities in order to foster and maintain the City  
20 and its image as a positive environment for the growth of business and industry and the  
21 continuing well-being of its residents, thereby further encouraging the health, welfare, and safety  
22 of the citizens of the City.

23 **SECTION 4. AND BE IT FURTHER RESOLVED,** That this authorization is subject to the  
24 following conditions:

25 (a) The PILOT Agreement for the Office Space shall be for a period of 15 years after the  
26 effective date specified in the PILOT Agreement.

27 (b) The PILOT Agreement for the Garage shall be for a period of 25 years after the  
28 effective date specified in the PILOT Agreement.

29 ~~(c) The negotiated payment in lieu of taxes for the Office Space and the Garage shall~~  
30 ~~include: (i) the amount of the existing taxes on the land comprising the Office Space~~  
31 ~~and the Garage portions of Parcel D (as reasonably determined by the Owner and the~~  
32 ~~State Department of Assessments based on a reasonable allocation method) as of the~~  
33 ~~earlier of (A) July 1, 2008, or (B) July 1<sup>st</sup> of the tax year during which Parcel D is~~  
34 ~~divided into separate tax parcels; plus (ii) 5% of the incremental taxes due resulting~~  
35 ~~from the construction of the Office Building for the period of 15 years after the~~  
36 ~~effective date as specified in the PILOT Agreement; plus (iii) 5% of the incremental~~  
37 ~~taxes due resulting from the construction of the Garage improvements, for the period~~  
38 ~~of 25 years after the effective date as specified in the PILOT Agreement.~~

39 (c) The negotiated payment in lieu of taxes for the Office Space shall include:

40 (i) the amount of the existing taxes on the land comprising the Office Space  
41 portion of Parcel D (as reasonably determined by the Owner and the State

**Council Bill 07-0700**

1 Department of Assessments based on a reasonable allocation method) as of  
2 the earlier of

3 (A) July 1, 2008, or

4 (B) July 1<sup>st</sup> of the tax year during which Parcel D is divided into separate  
5 tax parcels; plus

6 (ii) 5% of the incremental taxes due resulting from the construction of the Office  
7 Building, for the period of 15 years after the effective date as specified in the  
8 PILOT Agreement.

9 (d) The negotiated payment in lieu of taxes for the Garage shall include:

10 (i) the amount of the existing taxes on the land comprising the Garage portion of  
11 Parcel D (as reasonably determined by the Owner and the State Department of  
12 Assessments based on a reasonable allocation method) as of the earlier of

13 (A) July 1, 2008, or

14 (B) July 1<sup>st</sup> of the tax year during which Parcel D is divided into separate  
15 tax parcels; plus

16 (ii) 5% of the incremental taxes due resulting from the construction of the Garage  
17 improvements, for the period of 25 years after the effective date as specified  
18 in the PILOT Agreement.

19 (e) ~~(d)~~ The PILOT shall only be for the Office Space and the Garage and shall not apply  
20 to any other part of the development on Parcel D.

21 **SECTION 5. AND BE IT FURTHER RESOLVED,** That this Resolution takes effect on the date it  
22 is enacted.

**Council Bill 07-0700**

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Mayor, Baltimore City