

RESOLUTION 140-14

**RESOLUTION AUTHORIZING EXECUTION OF
TAX ABATEMENT AGREEMENT BETWEEN THE BOROUGH OF
CLAYTON AND KAUSHIK PATEL**

WHEREAS, the Borough of Clayton and Kaushik Patel have agreed to enter into a Tax Abatement Agreement for 414 South Delsea Drive, Block 905, Lot 12; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That the governing body does hereby approve the attached Tax Abatement Agreement between the Borough of Clayton and Kaushik Patel.

2. That the Mayor be and is hereby authorized to execute said contract on behalf of the Borough of Clayton.

ADOPTED, at a regular meeting of the Mayor and Council of the Borough of Clayton held on July 10, 2014.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

CERTIFICATION

I, Christine Newcomb, Borough Clerk, of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at a meeting of the Borough of Clayton, held on Thursday, July 10, 2014.



CHRISTINE NEWCOMB, Borough Clerk

**APPLICATION FOR EXEMPTION AND/OR ABATEMENT FOR THE IMPROVEMENT,
CONVERSION OR CONSTRUCTION OF PROPERTY PURSUANT TO P.L. 1991, C.441
(N.J.S.A. 40A:21-1 et seq.) AND AUTHORIZED BY MUNICIPAL ORDINANCE.**
(Italicized words are defined in law excerpts on reverse side)

Municipality ClaytonCounty Gloucester

This application must be filed with the assessor within 30 days following completion of the improvement, conversion or conversion alteration, or construction.

I. I/we, Kaushik Patel, residing/having offices at
(Name of Applicant)
120 Willow Oak Lane
(Address)

in the Municipality of Harrison in the County of Gloucester

hereby make claim for a tax exemption and/or abatement of taxes, pursuant to P.L.1991, Chapter 441, and the authorizing municipal ordinance, for premises located at 414 South Delsea Drive, Clayton, NJ
which is further described as Block 905, Lot 12 on the Tax Map of the municipality.

II. COMPLETE THE APPLICABLE SECTION "A" OR "B"

The following statements are made in support of this claim:

A. The subject property is a one or two family dwelling upon which claimant has completed:

New construction;

Conversion or conversion alteration of a building or structure into a dwelling;

Improvement of an existing dwelling.

B. The subject property is a multiple dwelling, commercial or industrial structure:

Improvement to a multiple dwelling;

Conversion or conversion alteration of building or structure to a multiple dwelling;

Improvement to a commercial or industrial building or structure;

Construction of multiple dwelling under tax agreement;

Construction of commercial or industrial structure under tax agreement.

III. ALL APPLICANTS MUST COMPLETE THIS SECTION

A. Date of completion of new construction, conversion, or improvement November 30, 19 2014

B. Total cost of project \$ \$500,000

C. Brief description of the nature and type of construction, conversion, or improvement.

12,000 square foot liquor store and grocery store

IV. Prior exemptions and/or abatement granted under P.L.1991, c.441 amount to
\$ N/A;

(State "none" if no prior exemptions have been granted on subject premises.)

Attached hereto is proof of all matters required (Assessor may require copy of ordinance, evidence of governing body's approval of categories of improvements or specific project improvements, and such additional proof as may be required to establish eligibility.)

Attached hereto is a copy of the tax agreement, if applicable, executed between the municipality and claimant.

There are no delinquent or unpaid property taxes or penalties for non-payment of taxes due on the property.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date 6-24-14

Signature

Kaushik Patel

Title (if any)

Date _____ ☐ Approved

☐ Disapproved

(Assessor)

This form is prescribed by the Director, Division of Taxation, in the Department of the Treasury, as required by law and may be reproduced for distribution, but no alteration may be made therein without prior approval.

TAX ABATEMENT AGREEMENT
KAUSHIK PATEL

WHEREAS, the Borough of Clayton has reviewed and approved a certain application submitted by Kaushik Patel permitting tax abatement on certain real property within the Borough of Clayton for the proposed construction of a one-story, 12,000 square foot fabricated steel building with a party wall that provides 7,000 square feet for a liquor store use and 5,000 square feet for a grocery store use located at 414 South Delsea Drive, Clayton, New Jersey, and more specifically identified as Block 905, Lot 12 on the Tax Map of the Borough of Clayton, Gloucester County, New Jersey.

WHEREAS, an Ordinance has been approved by the Borough Council of the Borough of Clayton, #13-2013, permitting tax abatement for said application, a copy of said Ordinance is attached hereto and made a part hereof; and

WHEREAS, the application submitted by the applicant was forwarded to the Borough of Clayton and reviewed by the Tax Assessor and approved by the governing body.

WHEREAS, the parties agree to abide by the terms of the application, the Ordinance #13-2013, the Tax Assessor's recommendation and all applicable regulations, ordinances, statutes, rules and regulations promulgated by the Borough of Clayton and State of New Jersey in carrying out of the terms of application for tax abatement.

IN WITNESS WHEREOF, the parties hereto have set their hand and seals this 10th
day of July, 2014.

BOROUGH OF CLAYTON




THOMAS BIANCO, Mayor

ATTEST:


CHRISTINE NEWCOMB, Borough Clerk



ATTEST:


Michael P. Albano

ORDINANCE # 13-2013

**AN ORDINANCE APPROVING THE APPLICATION FOR TAX
ABATEMENT SUBMITTED BY KAUSHIK PATEL AND AUTHORIZING THE
BOROUGH OF CLAYTON THROUGH
ITS PROPER OFFICERS TO ENTER INTO A WRITTEN
AGREEMENT WITH THE APPLICANT FOR THE ABATEMENT
OF LOCAL REAL ESTATE PROPERTY TAXES ON BLOCK 905, LOT 12**

WHEREAS, Public Law 1991, c. 441, as amended, (N.J.S.A. 40A:21-1 et seq.) enables qualified Municipalities to exempt from local property taxes, certain industrial and commercial improvements and projects; and

WHEREAS, pursuant to Chapter 85 of the Code of the Borough of Clayton, the Mayor and Council of the Borough of Clayton have determined that the greater interest of the Borough is served by encouraging the renovation and rehabilitation of existing commercial and industrial structures and the construction of new commercial and industrial structures which, without tax abatement, might choose to locate or relocate in a Community other than the Borough of Clayton; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq. and Chapter 85 of the Code of the Borough of Clayton, the Borough of Clayton has established a procedure for review and implementation of tax abatement for applications within the Borough of Clayton; and

WHEREAS, Kaushik Patel, having previously submitted an application for tax abatement to the appropriate Borough Officials and has received the recommendation of the Tax Assessor on the type of tax abatement.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Clayton, in the County of Gloucester, and State of New Jersey that

pursuant to N.J.S.A. 40A:21-1 et seq., as amended and Chapter 85 of the Code of the Borough of Clayton, the governing body does hereby grant and approve a certain application for tax abatement submitted by Kaushik Patel, for the construction of a proposed one-story, 12,000 square foot fabricated steel building with a party wall that provides 7,000 square feet for a liquor store use and 5,000 square feet for a grocery store use located at 414 South Delsea Drive in Clayton, New Jersey and more specifically identified as Block 905, Lot 12 on the Tax Map of the Borough of Clayton; and

BE IT FURTHER ORDAINED that the tax abatement shall be granted and that tax payments shall be computed pursuant to N.J.S.A. 40A:21-10(c) "Tax Phase In Basis" as noted in Chapter 85 of the Code of the Borough of Clayton; and

BE IT FURTHER ORDAINED that the property Borough Officials, that being the Mayor and Borough Clerk of the Borough of Clayton are hereby authorized to enter into a written agreement with the applicant, Kaushik Patel, providing tax abatement pursuant hereto; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

ATTEST:



CHRISTINE NEWCOMB, Borough Clerk