



COMMISSIONERS COURT COMMUNICATION

REFERENCE NUMBER _____

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DATE: 11/01/2022

**SUBJECT: APPROVAL OF CONSENT TO ASSIGNMENT OF THE TAX
ABATEMENT AGREEMENT FOR THE ARLINGTON COMMONS
DEVELOPMENT - PHASE 1C**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that Commissioners Court approve the attached Consent to Assignment of the Tax Abatement Agreement for the Arlington Commons Development – Phase 1C, assigning all rights and obligations under the Agreement to Truman Property Owners, LLC, and authorize the County Judge, or his designee, to execute the Consent to Assignment document.

BACKGROUND

On December 11, 2018, the Commissioners Court, through Court Order #129193, approved participation with the City of Arlington in tax abatement for the Arlington Commons apartment redevelopment project. The Agreement provides for County participation in tax abatement at a maximum of seventy percent (70%) for ten (10) years, and Hospital District participation at a maximum of fifty percent (50%) for ten (10) years. The Phase 1C project is now complete and the tax abatement period began on January 1, 2022.

On March 1, 2022, the Commissioners Court, through Court Order #137531, approved the First Amendment to the Tax Abatement Agreement with Arlington Commons, LLC, modifying and extending the completion date for Real Property Improvements to December 31, 2021.

On or around June 20, 2022, Arlington Commons Lands, LLC (ACL), sold the Phase 1C property to Arlington Commons II, LLC, an affiliate of ACL. Arlington Commons II, LLC now intends to sell the property to Truman Property Owner, LLC. Truman Property Owners, LLC desires to accept and assume from Arlington Commons II, LLC, all of the rights and obligations under the Tax Abatement Agreement.

The Criminal District Attorney's Office has reviewed this document as to form.

FISCAL IMPACT

Approval of the Consent to Assignment does not change or modify the existing Tax Abatement Agreement and has no fiscal impact.

SUBMITTED BY:	Administrator's Office	PREPARED BY: APPROVED BY:	Maegan P. South
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