

FINAL

AMENDED
December 4, 2017

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2017, Legislative Day No. 40

Bill No. 91-17

Introduced by Mr. Grasso, Chairman
(by request of the County Executive)

By the County Council, November 6, 2017

Introduced and first read on November 6, 2017
Public Hearing set for and held on December 4, 2017
Bill AMENDED and VOTED on December 4, 2017
Bill Expires February 9, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Indian Hills Special Community Benefit District –
2 Approval of Loan and Loan Modification Agreement
3

4 FOR the purpose of obligating the County to levy the special tax known as the special
5 community benefit assessment on the Indian Hills Special Community Benefit
6 District in an amount sufficient to repay a loan from First-Citizens Bank & Trust
7 Company to the Indian Hills Community Association, Inc., in each of eleven (11)
8 fiscal years during the term of the loan.
9

10 WHEREAS, the Indian Hills Special Community Benefit District has been duly
11 formed and created, pursuant to procedures set forth in Anne Arundel County
12 Code, Article 4, Title 7; and
13

14 WHEREAS, pursuant to § 4-7-204(jj)(2) of the Anne Arundel County Code, the
15 purposes of the Indian Hills Special Community Benefit District include “the
16 construction, operation, maintenance, and repair of certain community-owned
17 property and improvements within the boundaries of the district, including
18 resurfacing and sealing of the existing tennis courts; installation of drainage pipe
19 and drainage systems; installation of a basketball court; renovation of the log
20 cabin by removing partitions, paneling walls, installing new windows, repairing
21 ceilings, repairing and carpeting floor, correcting water problem in the basement,
22 installing a new septic system, installing, replacing, and repairing recreation
23 equipment as necessary; and renovation and reconstruction of the community pool
24 and its related facilities, including all related equipment, and the payment of the
25 pool’s yearly operational and maintenance expenses”; and

EXPLANATION: Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 WHEREAS, the Indian Hills Community Association, Inc. (the “Association”) is
2 the civic or community association that meets the requirements of § 4-7-101(d)
3 that administers the District; and
4

5 WHEREAS, in November of 2014, the Association entered into a loan agreement
6 with First-Citizens Bank & Trust Company in the amount of \$310,000 with a term
7 of eleven (11) years for the purpose of providing funding for improvements to
8 community property and to pay the balance on an existing loan for improvements
9 to community property (the “Original Loan”); and
10

11 WHEREAS, the Original Loan and associated Loan Agreement were approved by
12 the Anne Arundel County Council in Bill No. 57-15; and
13

14 WHEREAS, the Original Loan balance is approximately \$245,000; and
15

16 WHEREAS, the Association is modifying the Original Loan by increasing the
17 principal loan amount to \$305,000, and extending the term ~~by two years (through~~
18 ~~December 2027)~~ through December 2027, to facilitate a tennis court replacement
19 and fence construction project (the “Modified Loan”); and
20

21 WHEREAS, to enable the Association to obtain the Loan from First-Citizens
22 Bank & Trust Company by providing a source of funds for repayment of the
23 Modified Loan, the County is undertaking the obligation set forth in this
24 Ordinance; now, therefore,
25

26 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
27 *Maryland,* That the County shall be obligated to levy the special tax known as the special
28 community benefit assessment on the Indian Hills Special Community Benefit District in
29 an amount sufficient to repay the Modified Loan from First-Citizens Bank & Trust
30 Company to Indian Hills Community Association, Inc., in each of up to eleven (11) fiscal
31 years during the term of the Modified Loan, beginning in the County’s Fiscal Year 2018.
32

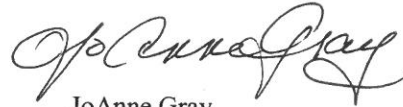
33 SECTION 2. *And be it further enacted,* That the County undertakes no obligation
34 with regard to the Modified Loan except as expressly described in this Ordinance, is
35 neither a co-obligor nor guarantor of the Modified Loan, and does not commit the full
36 faith and credit of the County to repayment of the Modified Loan.
37

38 SECTION 3. *And be it further enacted,* That the County Executive is hereby
39 authorized to enter into such other and further agreements with the Association and First-
40 Citizens Bank & Trust Company as are necessary to disburse directly to First-Citizens
41 Bank & Trust Company such amounts of the special community benefit assessment
42 levied on the Indian Hills Special Community Benefit District as are collected by the
43 County and are necessary to repay the Modified Loan consistent with this Ordinance.
44

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

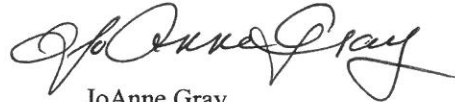
READ AND PASSED this 4th day of December, 2017

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 5th day of December, 2017



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 9th day of December, 2017



Steven R. Schuh
County Executive

EFFECTIVE DATE: January 22, 2018

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
91-17. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer