

**Summary of Development Agreement between the City of Dover, Dover Housing
Authority and CPI Management, LLC
September 2019**

Purchase Price: Total: \$3,372,500 Phase 1: \$1,420,000 (200 units at \$7,100 each)

Deposit: \$100,000 (credited towards purchase price in phases at closings)

Private Improvements:

- Mixed-use development including multi-family residential, office, retail, restaurant and hotel
- Approximately four hundred and seventy-five (475) multi-family residential units and hotel rooms.
- Approximately 25,000 leasable square feet of street level office, commercial, retail, or restaurant space (can be reduced to 20,000 square feet if City retains Parcel E)

Public Improvements:

- Excavation of the “Bluff” area,
- Grading of the Project Site to raise the elevation in anticipation of sea level rise and create building pads
- Shoreline stabilization
- The development of a public park along the waterfront
- Completion of environmental remediation in accordance with a Remedial Action Plan (RAP)
- Street, Streetscape and Utilities Improvements

Surety for City:

- Tax Guarantee: \$10,000,000 for Building 1 in Phase I, \$5,000,000 for Building 2 in Phase 1
- If property tax assessed for a parcel are less than the guaranteed tax assessment value, the Developer must make up the shortfall.
- A Performance Mortgage will be conveyed to the City for the tax obligation and will be recorded at SCRD
- Development Agreement (DA) runs with the land and binds any future purchaser if the property is later sold before full recovery of the City’s reimbursement occurs.
- The City shall retain a right of reverter on any parcel transferred if the project is not completed

Timeline:

- Submission for site plan approval Phase I: December 31, 2019
- Developer must submit revised Concept Site Plan to CWDAC: June 1, 2020
- Commence Construction on Phase I: April 5, 2021
- Site Plan approval for Phase II: Six months after approval of RAP
- Purchase of Parcel B: no later than December 29, 2023
- Purchase of Parcel C: no later than December 26, 2025
- Purchase of Parcel D: no later than October 29, 2027
- Beginning 18 months after Certificate of Occupancy for each parcel, the minimum guaranteed assessment value is in effect

Other:

- Creates and promotes additional downtown residential and commercial economic activity
- The purchase price is based upon a per unit value of \$7,100. The price of each parcel will vary depending on the unit count.

- City will prepare subdivision plan to subdivide the site into parcels to be conveyed to Developer for each phase and create parcels for the public park, River Street pump station and street ROW's
- City is responsible for obtaining permits for public improvements and Developer is responsible for obtaining permits for private improvements
- Developer may conduct feasibility studies on the site and may terminate the agreement if an unacceptable condition of the site is revealed, on or before October 15, 2019
- Phase I Public Improvements must be completed for Developer to commence construction
- The water and sewer investment fees to be paid by occupants at time of connection
- Developer must pay school, police, fire, and recreation Impact Fees, but infrastructure improvements may be provided in lieu of Impact Fees.
- City to make public improvements using Waterfront TIF funding (currently \$6.6M appropriated). Public improvements shall not exceed \$15 million and will be done in phases.
- Developer may complete some of the public improvements for credit towards purchase price
- City will complete RAP for the site and submit it to NHDES after receiving a sign off from Developer. RAP required environmental remediation must be completed and approved by NHDES prior to purchase of any parcel by Developer.
- Agreement lists 5 conditions precedent that the Developer must satisfy and 11 conditions precedent that the City must satisfy prior to the sale of each parcel.
- Developer may extend the possession date for any phase for up to 24 months, the first 12 months at no cost and the second 12 months at a cost of \$5,000 per month, nonrefundable but credited against purchase price.
- Agreement contains a list of events that constitute the Developer's default and the City's remedies.
- The site will be developed consistent with the applicable design guidelines
- Agreement can be amended in writing upon agreement of both parties.