



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
LOCAL PLANNING SERVICES
101 SOUTH BROAD STREET
PO Box 813
TRENTON, NJ 08625-0813
(609) 292-3000 • FAX (609) 633-6056

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

March 23, 2020

Mr. Cameron W. MacLeod
Associate
Gibbons P.C.
One Gateway Center
Newark, NJ 07102

Dear Mr. MacLeod:

Enclosed is the approval of the Certificate of Formation for DRP URBAN RENEWAL 3, LLC. Please return a marked copy of the approval form and the Certificate to this office once it is filed and stamped by the State Treasurer. You can either mail a copy or e-mail a copy to me at UrbanRecert@dca.nj.gov.

Thank you for your cooperation in this matter. If you have any questions, please call me at 609-633-2133.

Sincerely,

Pamela R. Weintraub
Pamela R. Weintraub, PP/AICP
Principal Planner
Local Planning Services



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DEPARTMENT OF COMMUNITY AFFAIRS

TO: State Treasurer
RE: DRP URBAN RENEWAL 3, LLC
File # 2744
An Urban Renewal Entity

This is to certify that the attached CERTIFICATE OF FORMATION OF AN URBAN RENEWAL ENTITY has been examined and approved by the Department of Community Affairs, pursuant to the power vested in it under the "Long Term Tax Exemption Law," P.L. 1991, c.431.

Done this 24th day of March 20 20 at Trenton, New Jersey.

DEPARTMENT OF COMMUNITY AFFAIRS

By: _____

Sean Thompson, Director
Local Planning Services

**CERTIFICATE OF FORMATION
OF
DRP URBAN RENEWAL 3, LLC**

Pursuant to N.J.S.A. 42:2C-1 et seq. and N.J.S.A. 40A:20-1 et seq.

The undersigned, being authorized to execute and file this Certificate of Formation, for the purpose of forming a limited liability company pursuant to the provisions of Title 42:2C, the Revised Uniform Limited Liability Company Act, and N.J.S.A. 40A:20-1 et seq., the New Jersey Long Term Tax Exemption Law, as amended, hereby certifies that:

FIRST: The name of the limited liability company is: DRP URBAN RENEWAL 3, LLC (hereinafter the "Company").

SECOND: The name and address of the registered agent and registered office of the Company in this State is CT Corporation, 820 Bear Tavern Road, Ewing, New Jersey 08628.

THIRD: (a) The purposes for which the Company is formed shall be to operate under P.L.1991, c.431 (C.40A:20-1 et seq.), and to initiate and conduct projects for the redevelopment of a redevelopment area pursuant to a redevelopment plan, or projects necessary, useful or convenient for the relocation of residents displaced or to be displaced by the redevelopment of all or part of one or more redevelopment areas, or low and moderate income housing projects and, when authorized by financial agreement with the Township of Greenwich (the "Municipality"), to acquire, plan, develop, construct, alter, maintain or operate housing, senior citizen housing, business, industrial, commercial, administrative, community, health, recreational, educational or welfare projects, or any combination of two or more of these types of improvements in a single project, under such conditions as to use, ownership, management and control as regulated pursuant to P.L.1991, c.431 (C.40A:20-1 et seq.).

(b) So long as the Company is obligated under a financial agreement with the Municipality made pursuant to P.L.1991, c.431 (C.40A:20-1 et seq.), it shall engage in no business other than the ownership, operation and management of the project.

(c) The Company has been organized and formed to serve a public purpose. The Company's operations shall be directed toward: (1) the redevelopment of redevelopment areas, the facilitation of the relocation of residents displaced, or to be displaced by redevelopment, or the conduct of low and moderate income housing projects; and (2) the acquisition, management and operation of a project, redevelopment relocation housing project or low and moderate income housing project under P.L.1991, c.431 (C.40A:20-1 et seq.). The Company shall be subject to regulation by the Municipality, and to a limitation or prohibition, as appropriate, on profits or dividends for so long as the Company remains the owner of a project subject to P.L.1991, c.431 (C.40A:20-1 et seq.).

(d) The Company shall not voluntarily transfer more than ten percent (10%) of the ownership of the project or any portion thereof undertaken by it under P.L.1991, c.431

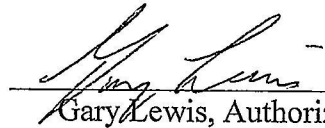
(C.40A:20-1 et seq.) until it has first removed both itself and the project from all restrictions of P.L.1991, c.431 (C.40A:20-1 et seq.) in the manner required by P.L.1991, c.431 (C.40A:20-1 et seq.) and, if the project includes housing units, has obtained the consent of the Commissioner of Community Affairs to such transfer, with the exception of transfer to another urban renewal entity, as approved by the Municipality, which other urban renewal entity shall assume all contractual obligations of the Company under the financial agreement with the Municipality. The Company shall file annually with the governing body of the Municipality a disclosure of the persons having an ownership interest in the project, and the extent of the ownership interest of each. Nothing herein shall prohibit any transfer of the ownership interest in the Company itself, provided that the transfer, if greater than ten percent (10%), is disclosed to the governing body of the Municipality in the annual disclosure statement or in correspondence sent to the Municipality in advance of the annual disclosure statement referred to above.

(e) The Company shall be subject to the provisions of P.L.1991, c.431 (C.40A:20-18) respecting the powers of the Municipality to alleviate financial difficulties of the Company or to perform actions on behalf of the Company upon a determination of financial emergency.

(f) Any housing units constructed or acquired by the Company shall be managed subject to the supervision of, and rules adopted by, the Commissioner of Community Affairs.

FOURTH: The term of the Company shall be perpetual unless otherwise terminated in accordance with the provisions of the Company's Operating Agreement.

IN WITNESS WHEREOF, I have signed this Certificate of Formation this 12 day of March, 2020.



Gary Lewis, Authorized Person

GIBBONS

Temp # 031620-2

CAMERON W. MACLEOD
Associate

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Direct: (973) 596-4925 Fax: (973) 639-8341
cmacleod@gibbonslaw.com

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March 13, 2020

VIA FEDEX

New Jersey Department of Community Affairs
ATTN: Ms. Karen Schwacha
Division of Codes and Standards
Bureau of Homeowner Protection
101 South Broad Street
Trenton, New Jersey 08608

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MAR 16 2020

LOCAL PLANNING SERVICES

#2744

Re: DRP Urban Renewal 3, LLC

Dear Ms. Schwacha:

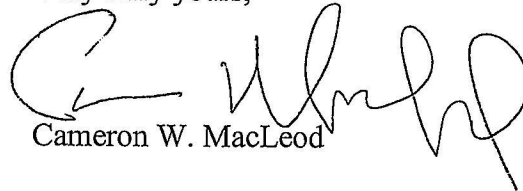
Please find enclosed the following documents for review and approval, submitted in support of the creation of the above-referenced urban renewal entity:

- The original and four (4) copies of Certificate of Formation for DRP Urban Renewal 3, LLC; and
- The original and one (1) copy of the Department of Community Affairs Disclosure for Urban Renewal Entities.

Please feel free to contact me with any questions regarding the documentation. Kindly e-mail or fax a copy of the approved certificate of formation when completed so we can get the entity formed promptly.

Thank you in advance for your assistance in reviewing these formation documents.

Very truly yours,


Cameron W. MacLeod

Enclosures

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF LOCAL PLANNING SERVICES
PO BOX 813
TRENTON, NEW JERSEY 08625-0813**

**URBAN RENEWAL ENTITIES
DISCLOSURE INFORMATION**

Instructions for Completion: You have filed an application for approval of an urban renewal entity pursuant to the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.). In order for us to process the application, we require that you provide the following information and forward this form to the above address or fax it to (609) 633-6056. This form must be completed prior to DCA approval of the entity. If you have any questions, please call Pamela Weintraub at (609) 633-2133 or email Pamela.Weintraub@dca.nj.gov.

Name of Urban Renewal Entity: DRP URBAN RENEWAL 3, LLC

SECTION 1: TYPE OF APPROVAL REQUESTED (check one):

- ☒ Original Certificate (of incorporation, limited partnership, formation, etc.)
☐ Amendment to original certificate (of incorporation, limited partnership, formation, etc.). Note: In the case of amendments, please forward a copy of original certificate marked "filed, State Treasurer" or "filed, Secretary of State" with this form.
☐ Other (please specify) _____

SECTION 2: PROJECT INFORMATION

Project Name: Repauno - Rail Rack

Project Street Address: 200 N. Repauno Avenue, Gibbstown, NJ 08027

Project Block Number(s) 8
8

Project Lot Number(s) 3
4

Municipality in which the Project is located Greenwich Township

County in which the Project is located Gloucester

SECTION 3 (For project listed in SECTION 2. Check one.)

- ☒ This project is solely a commercial project (with no housing units) developed in a redevelopment area pursuant to a municipal redevelopment plan.
☐ 2. This project consists solely of market rate housing units developed in a redevelopment area pursuant to a municipal redevelopment plan.
☐ 3. The project consists of low and moderate income housing units, which may include senior citizen low and moderate income housing units.
☐ 4. This project consists of mixed uses (Specify type).
☐ Market rate and low and moderate income housing.
☐ Commercial and market rate housing.
☐ Commercial and low and moderate income housing.
☐ Other (please describe). _____

NOTE: If you checked 1 or 2, complete **SECTIONS 4, 6, and 7**.
If you checked 3, complete **SECTION 5, 6, and 7**.
If you checked 4, complete **SECTIONS 4, 5, 6, and 7**.

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LOCAL PLANNING SERVICES

SECTION 4: REDEVELOPMENT PLAN INFORMATION

Name of Municipal Redevelopment Agency Township of Greenwich Council

Citation of municipal ordinance adopting the redevelopment plan No. 01-2019

For housing projects, complete the following:

Specify type and number of units as applicable:

- ☐ Condominium units _____
- ☐ Market rate rental _____
- ☐ Low and moderate income in mixed use projects _____
- ☐ Senior citizen in mixed use projects _____
- ☐ Other (please specify) _____

Total number of units _____

SECTION 5: PROJECT FUNDING SOURCES

The low and moderate income housing project will be financed or insured by which of the following (check all applicable):

- ☐ Private funds (Please specify) _____
- ☐ State or Federal financing or insuring agencies (Please specify below)
- ☐ Other (Please specify) _____

State or Federal Financing or Insuring Agencies for the Project (check all that apply):

NJ Department of Community Affairs:

- ☐ Neighborhood Preservation Balanced Housing
- ☐ HOME – CHDO Production (Community Housing Development Organizations) Program
- ☐ HOME – Housing Production Investment Fund
- ☐ National Housing Trust Fund

NJ Redevelopment Authority:

- ☐ NJ Urban Site Acquisition Program

US Department of Housing and Urban Development (HUD):

- ☐ Section 811 Supportive Housing for Persons with Disabilities
- ☐ Section 202 Supportive Housing for the Elderly
- ☐ HOPE VI Grants
- ☐ HOME Program

US Department of Agriculture:

- ☐ Rural Resources Administration (formerly Farmers' Home Administration)

Other (Please specify):

NJ Housing and Mortgage Finance Agency:

- ☐ NJ Community Housing Demo Program (developmental disabilities)
- ☐ NJ Supportive Housing Connection Program
- ☐ CHOICE Program
- ☐ Special Needs Housing Partnership Program
- ☐ Multifamily Rental Housing Program
- ☐ Multifamily Conduit Bond Program
- ☐ Public Housing Construction and Permanent Loan Program
- ☐ Sandy Special Needs Housing Fund
- ☐ Rental Housing Incentive Finance Fund
- ☐ 100% Mortgage Program
- ☐ Urban Home Ownership Recovery Program
- ☐ Low-Income Housing Tax Credit Allocation Program
- ☐ Money Follows the Person Housing Partnership Program
- ☐ Section 811 Project Based Rental Assistance Program
- ☐ Fund for Restoration of Multifamily Housing (FRM)
- ☐ Fund for restoration of Multifamily Housing -Public Housing Authority Set -Aside

List the information of the State or Federal financing or insuring agency's contact person:

Name: _____

Title: _____

Department/Agency: _____

Address: _____

Telephone Number: _____

SECTION 6: PROJECT CONSTRUCTION/OWNERSHIP (check all that apply)

- ☒ 1. The project is new construction.
- ☐ 2. An existing project is being rehabilitated.
If rehab, specify name of individual, entity, etc. who is the current owner of the project. _____

- ☐ 3. Ownership of an existing project is being transferred to the new urban renewal entity.

If transfer, specify name of individual, entity, etc. from whom the project is being or has been transferred. _____

Is the transferor entity a limited dividend corporation or association, established pursuant to the Limited Dividend and Non Profit Housing Corporations and Associations Law, N.J.S.A. 55:16-1 et seq.? (yes or no) _____

Is the transferor entity a limited dividend corporation or association, established pursuant to the Limited Dividend and Nonprofit Housing Corporations and Associations Law, N.J.S.A. 55:16-1 et seq.? (yes or no) _____

Has the project ever been subject to a deed restriction, as a limited dividend project, pursuant to the Limited Dividend and Nonprofit Housing Corporations and Associations Law, N.J.S.A. 55:16-1 et seq.? (yes or no) _____

Is the transferor entity an existing urban renewal entity established pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.? (yes or no) _____

- ☐ 4. Has this project caused or will this project cause displacement of individuals or businesses? (yes or no) _____

SECTION 7: CERTIFICATION

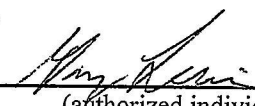
NOTE: This certification must be completed by an individual authorized to execute the certificate of incorporation (incorporator), the certificate of limited partnership (general partner), or other similar certificate or statement as may be required by law.

CERTIFICATION

I attest that the information stated herein is truthful and accurate to the best of my knowledge and understand that failure to fully and accurately disclose any information may delay processing the application while the Department investigates the application and project. Further, I understand that any project of the urban renewal entity may be subject to additional Department review and approval, pursuant to the requirements of the Limited Dividend and Nonprofit Corporations or Associations Law, N.J.S.A. 55:16-1 et seq., the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., and/or rules governing Limited Dividend and Nonprofit Housing Corporations and Associations and Urban Renewal Entities, N.J.A.C. 5:13-1 et seq.

Sworn to me and subscribed before me this day of
(mo/day/year)

Nancy M. Molloy
3/12/2020
(notary public/attorney)

X 
(authorized individual's signature)

Gary Lewis, President
(print name of authorized individual)

Rev. 11/2018

Nancy M. Molloy
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires September 6, 2022