

Greenbaum Represents New Jersey Institute of Technology in Development of Newark Student Residence Hall with Unique Public-Private Partnership Financing Structure

June 24, 2021

Greenbaum, Rowe, Smith & Davis LLP represented the New Jersey Institute of Technology (NJIT) in connection with the development and financing of a 548-bed state-of-the-art residence hall on the university's campus in Newark. The Warren Street Residence Hall, located at 211-214 Warren Street in the University Heights neighborhood, is a project critical to the continued expansion of NJIT's Newark footprint, as well as the revitalization of that area of the city.

The \$90 million+ project was financed through a complex and unique public-private partnership structure established with NJIT development partner RISE Highlanders, the University's collegiate housing partner Collegiate Housing Foundation (CHF), and its public partner, the Essex County Improvement Authority. The Greenbaum team, led by partners **Steven G. Mlenak** and **Thomas J. Denitzio, Jr.**, represented NJIT throughout the process.

NJIT ground leased the project to CHF, which borrowed the proceeds of Authority bonds to finance the cost of construction. CHF leased the property back to NJIT under an agreement in which the rent was devoted to repayment of the bonds. CHF entered into a development agreement with RISE Highlanders to construct the project and NJIT entered into a management agreement with an affiliate of RISE Highlanders to manage the student housing facility upon completion. This multi-faceted arrangement required extensive and detailed coordination of various substantive documents providing for the rights and obligations of the parties.

In addition to Mr. Mlenak and Mr. Denitzio, the Greenbaum team included **Robert S. Goldsmith, Kellianne Greenwood, Steven Nudelman, David A. Roth, and Lydia C. Stefanowicz**. The team's work included the review and negotiation of the ground lease, facility leaseback agreement, management agreement, bond documents, development agreement, contracts with construction and architectural firms, and obtaining a title insurance policy that met the lender's requirements.

The Warren Street Residence Hall will provide eight stories of apartment-style student housing with a gross floor area of 271,000 square feet, with a total of 176 dormitory units along with 76 parking spaces with retail space and amenities on the ground floor, including an internet café and a gaming room. A large, open landscaped terrace will provide seating areas, grilling stations and a fire pit area. The sustainable-minded facility, which will open in fall 2022, was the location of a ceremonial groundbreaking event on Thursday, June 10, 2021.

Press Releases (Cont.)

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Concept photo of NJIT Warren Street Residence Hall

Pictured at the June 10, 2021 ceremonial groundbreaking are (l to r): Andrew P. Christ, P.E, Sr. VP for Real Estate Development and Capital Operations, NJIT and Steven G. Mlenak, Partner, Greenbaum, Rowe, Smith & Davis