§ 2770. Agreements relating to payment in lieu of taxes. 1. In order to assure that municipalities may not suffer undue loss of taxes or assessments in the event that the authority acquires any airport from the county, any person paying real property taxes or assessments as of the date of the transfer of title from the county to the authority on any property located within any such airport shall make payments in lieu of taxes in an amount equal to the sums which would ordinarily be imposed as taxes by any municipality in which such property is located, pursuant to the prevailing method of determining taxes and assessments.

2. Subject to any agreement with bondholders, the authority may, but is not required to, enter into agreements with any municipality of the state to pay annual sums in lieu of taxes to any such municipality in respect of any real property which is owned by the authority is located in such municipality and is used for public aviation purposes or pollution control purposes. For the purposes of this section, such public aviation purposes shall include without limitation air terminal facilities, parking facilities, fuel facilities, maintenance facilities, and facilities for the loading, unloading, holding, interchange or transfer of passengers, freight, baggage or cargo.

3. In the event that any real property owned by the authority is used or is to be used by the authority or a lessee thereof for purposes other than public aviation purposes, the authority, or lessee thereof, as the case may be, shall enter into agreements with any municipality of the state to pay annual sums in lieu of taxes in respect of such real property located in such municipality. For the purposes of this section, such purposes other than public aviation purposes shall include without limitation hotels, motels, restaurants and retail stores and concessions not located within any air terminal building, office buildings to the extent not used by the authority or any other public corporation for its own corporate purposes, and such other buildings and improvements as determined by the authority to be not exclusively for public aviation purposes.

The authority shall determine (i) the amount of such annual payments in lieu of taxes, (ii) whether the use of such property is for purposes

other than public aviation purposes and (iii) the extent to which such property is used for purposes other than public aviation purposes. In making such determinations the authority shall take into consideration the recommendations, if any, of the county.