

Resolution of the City of Newark, N.J.

7R2-a 031517

NO. 7K2-A

Date of Adoption MAR 15 2017

Title Page

Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Rehabilitate properties to create a kitchen incubator.
Entity Name: All Renovation Construction, LLC.
Entity Address: 200 W 138th Street, Ground Floor Suite, New York, New York 10030
Sale Amount: \$43,649.72
Cost Basis: (X) \$4.00 PSF () Negotiated () N/A () Other:
Assessed Amount: \$713,700.00
Appraised Amount: \$0.00
Contract Period: To commence within three (3) months and completed within twenty-four (24) months from the transfer of ownership by the City.
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
(X) Private Sale () Grant () Sub-recipient () n/a
(Address/Block/Lot/Ward)
35 Murray Street/Block 2811/Lot 9/East Ward
33-35 Astor Street/Block 2811/Lot 10/East Ward
29-31 Astor Street/Block 2811/Lots 12, 13/East Ward
Additional Information:
Total Square Footage = 10,912.43. X \$4.00 = \$43,649.72

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

Corporation Counsel

Title

Council Member _____

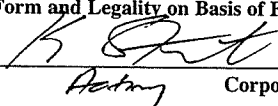
_____ presents the following Resolution:

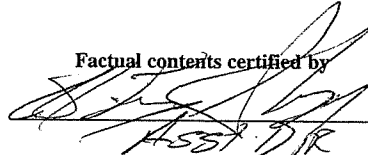
Resolution of the City of Newark, N.J.

NO. 7R2-ADate of Adoption MAR 15 2017

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by


 Acting Corporation Counsel


 Title
 Amador presents the following Resolution:

Council Member

WHEREAS, the purpose of this resolution is to approve the sale and rehabilitation of the following City-owned Properties located in the East Ward of the City of Newark:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
29-31 Astor Street	East	2811	12, 13	52X85	4,420
33-35 Astor Street	East	2811	10	53.2X85	4,522
35 Murray Street	East	2811	9	23.1X85.3	1,970.43

Total Square Footage: 10,912.43

Total Purchase Price: \$43,649.72 (\$4.00 per sq. ft.); and

WHEREAS, the City of Newark has determined that the above referenced City-owned properties (the "Properties") are no longer needed for public use; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(g), the City of Newark is proceeding with the rehabilitation of the area and is conveying Properties at such prices and upon such terms as it deems reasonable and said conveyance is made in conjunction with the applicable Redevelopment Plan, as amended; and

WHEREAS, the Municipal Council previously adopted Resolution 7RD-O(AS) on June 15, 2005, designating the entire City as an "area in need of rehabilitation" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL"); and

WHEREAS, the Municipal Council thereafter adopted Ordinance 6S&FE on September 21, 2005, adopting the First Amendment to the East Ward Redevelopment Plan governing the redevelopment of City-owned Properties located within the East Ward, which includes the above-referenced Properties; and

WHEREAS, the City received a letter of intent for the purchase and redevelopment of the Properties from All Renovation Construction LLC (the "Redeveloper"); and

WHEREAS, the Redeveloper, having its address at 200 W. 138th Street, Ground Floor Suite, New York, New York 10030 has proposed to the City's Department of Economic and Housing Development to rehabilitate the Properties to create a kitchen incubator (the "Proposal"); and

WHEREAS, based upon the City's review of the request and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity to acquire the Properties

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and to rehabilitate it in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the Agreement for the Sale of Land and Redevelopment, the form of which is attached hereto (the "Agreement"), and the East Ward Redevelopment Plan, as amended; and

WHEREAS, pursuant to the above-mentioned statutory authority, the Department of Economic and Housing Development has recommended that the City of Newark sell the Properties to All Renovation Construction LLC, whom is willing to purchase the Properties from the City, for the consideration of Forty-Three Thousand, Six Hundred Forty-Nine Dollars and Seventy-Two Cents (\$43,649.72) for the purpose of rehabilitating said Properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the East Ward Redevelopment Plan, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee and the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute the Agreement for the Sale and Redevelopment of Land attached hereto with All Renovation Construction LLC, having an address of 200 W. 138th Street, Ground Floor Suite, New York, New York 10030 for the private sale and rehabilitation of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement and the East Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
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Total Square Footage: 10,912.43

Total Purchase Price: \$43,649.72 (\$4.00 per sq. ft.)

2. Said Properties shall be sold to All Renovation Construction LLC by private sale for the purpose of rehabilitating the abovementioned Properties to create a kitchen incubator.
3. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement annexed hereto and may enter into access and right of entry agreements and any related documents which may be necessary in order to effectuate the sale of the Properties and the terms and conditions of the Agreement, all in forms subject to the approval of the City of Newark Corporation Counsel.
4. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two (2) six (6) month extensions of any timeframe set forth in the Agreement, subject to full written disclosure of such extension(s) (in the form of a signed memorandum to be submitted to the Office of the City Clerk prior to adoption) to the Municipal Council of the City of Newark by the Deputy Mayor/Director of the Department of Economic and Housing Development and the approval of the City of Newark Corporation Counsel.
5. The Redeveloper shall be designated as the exclusive redeveloper of the Properties and any other prior legislation authorizing or intended to authorize the sale and/or redevelopment and/or rehabilitation of the Properties are hereby rescinded.

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6. The Redeveloper shall have thirty (30) days from the date this resolution is certified by the Office of the City Clerk to execute the attached Agreement for the Sale and Redevelopment of Land and return same to the Department of Economic and Housing Development. Should Redeveloper fail to execute and return the attached Agreement within this thirty (30) day time period, the authorization provided by this resolution shall be null and void, unless the Deputy Mayor/Director of the Department of Economic and Housing Development agrees in writing to extend this thirty (30) day time period.
7. The Director of Finance is hereby authorized to receive proceeds of the sale and to deposit same as follows: ninety percent (90%) of the sale proceeds shall be deposited into the Redevelopment Acquisition Dedicated Trust Fund established under Resolution 7RCS(AS) dated April 16, 1986; and ten percent (10%) of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6PS&FF dated June 21, 2006 for the purpose of preserving low and moderate income affordable housing.
8. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed Agreement for the Sale and Redevelopment of Land, the Quitclaim Deed, and all such other executed agreements authorized by this resolution on file in the Office of the City Clerk.
9. The Redeveloper shall be required to comply with the City of Newark's Minority Set-Aside Ordinance 6S&FD, dated April 5, 1995; the City of Newark's Affirmative Action Plan 7RBP, dated March 1, 1995; Federal Executive Order 11246, (as amended by Executive Orders 11375 and 12086) regarding the award of goods and services contracts; and the City of Newark Ordinance 6PSF-C adopted June 17, 2015 Amending Title II Administration, Chapter 4, General Administration, Section 20, Hiring of Newark Residents by Contractors or Other Persons Doing Business with the City of Newark and Section 21, Newark Residents' Employment Policy, by Adding Language to Address Immediate Short Term Training and Employment Opportunities and Repealing the Newark Employment Commission, a copy of which is attached to the Agreement (the "First Source Ordinance"), all as may be applicable. In addition, the Redeveloper has agreed to ensure that 30% of all contractors, subcontractors and suppliers shall be Newark-based companies.
10. The rehabilitation of the Properties shall commenced within three (3) months and be completed within twenty-four (24) months from the transfer of ownership of the Properties by the City to the Redeveloper.
11. The Project to be implemented by the Redeveloper shall conform to the City of Newark Design Guidelines, including standards for environmental sustainability and energy efficiency, as established by the Department of Economic and Housing Development. Additionally, the Redeveloper shall conduct any environmental investigation and remediation upon the Properties as may be necessary. Should the Redeveloper fail to diligently pursue the rehabilitation of the Properties, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Properties back to the City, in accordance with the terms and conditions of the Agreement and the Deed.
12. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to execute a Quitclaim Deed to the Redeveloper for the Properties. Said Quitclaim Deed conveying title to the Properties to the Redeveloper shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

MAR 15 2017

STATEMENT

This resolution authorizes the Mayor and/or his designee and the Deputy Mayor/Director of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land with All Renovation Construction LLC, of 200 W. 138th Street, Ground Floor Suite, New York, New York 10030 for the private sale and rehabilitation of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement for the Sale and Redevelopment of Land and the East Ward Redevelopment Plan, as amended:

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Total Square Footage: 10,912.43

Total Purchase Price: \$43,649.72 (\$4.00 per sq. ft.)

to create a kitchen incubator.

CERTIFIED TO BY ME THIS

MAR 16 2017

Do not use space below this line

RECORD OF COUNCIL VOTE ON FINAL PASSAGE															
Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	
Amador, Vice Pres.	<input checked="" type="checkbox"/>				Chaneyfield Jenkins	<input checked="" type="checkbox"/>				Quintana	<input checked="" type="checkbox"/>				
Gonzalez	<input checked="" type="checkbox"/>				McCallum, Jr.	<input checked="" type="checkbox"/>				Ramos, Jr.	<input checked="" type="checkbox"/>				
James	<input checked="" type="checkbox"/>				Osborne	<input checked="" type="checkbox"/>				Crump, President	<input checked="" type="checkbox"/>				
✓ Indicates Vote					AB - Absent					NV - Not Voting					

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

MAR 15 2017

Richard C. Crump

President of the Council

[Signature]

City Clerk