



Legislation Details (With Text)

**File #:** 16-0126      **Version:** 1      **Name:** Power Concrete - Raymond Blvd  
**Type:** Resolution      **Status:** Filed  
**File created:** 1/26/2016      **In control:** Economic and Housing Development  
**On agenda:** 3/16/2016      **Final action:** 3/22/2016  
**Title:** Dept/ Agency: Economic & Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Private Sale/Redevelopment  
Purpose: Remediate and rehabilitate vacant land to facilitate access to, and for the operation of, the adjacent business at 497 Raymond Boulevard  
Entity Name: Raymond Boulevard Properties, LLC  
Entity Address: 497 Raymond Boulevard, Newark, New Jersey 07105  
Sale Amount: \$140,000.00  
Cost Basis: ( ) \$ PSF (X) Negotiated ( ) N/A ( ) Other:  
Assessed Amount: \$ 567,000.00  
Appraised Amount: \$140,000.00  
Contract Period: To be commenced within 3 months and be completed within 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  
List of Property:  
(Address/Block/Lot/Ward)  
55-57 Chapel Street/Block 2461.01/Lot 1/East Ward  
Additional Information:  
Approximately \$1.99 per square foot  
Deferred 7R3-d 031616

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 3/22/2016 | 1    | Municipal Council | Adopt  | Pass   |
| 3/16/2016 | 1    | Municipal Council | Defer  | Pass   |

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**(Address/Block/Lot/Ward)**

55-57 Chapel Street/Block 2461.01/Lot 1/East Ward

**Additional Information:**

Approximately \$1.99 per square foot

**Deferred 7R3-d 031616**

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

| <u>ADDRESS</u>      | <u>WARD</u> | <u>BLOCK</u> | <u>LOT</u> | <u>SQ. FT.</u> |
|---------------------|-------------|--------------|------------|----------------|
| 55-57 Chapel Street | East        | 2461.01      | 1          | 70,440.        |

Total Purchase Price: \$140,000.00 (approximately \$1.99 per sq. ft.); and

**WHEREAS**, the City of Newark has determined that the above referenced City-owned property (the "Property") is 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 7Rdo(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(S) 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 Property; and

**WHEREAS**, Raymond Boulevard Properties, LLC, 497 Raymond Boulevard, Newark, New Jersey 07105 (the "Redeveloper"), has negotiated with the City to acquire the Property for a purchase price of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00) and has agreed to assume the obligation to complete the environmental remediation of the Property in exchange for a credit against the purchase price for the reasonable costs of such environmental remediation (as confirmed by the Deputy Mayor/Director of the Department of Economic and Housing Development) in an amount not to exceed Thirty Thousand Dollars and Zero Cents (\$30,000.00) and to thereafter rehabilitate the Property to facilitate access to, and for the operation of, its adjacent business at 497 Raymond Boulevard (the "Project"); and

**WHEREAS**, through its negotiations and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity

to acquire the Property 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 Property to Raymond Boulevard Properties, LLC, for the consideration of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00) and for the subsequent environmental remediation and rehabilitation of said property 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 of Land and Redevelopment attached hereto (the "Agreement") with Raymond Boulevard Properties, LLC, 497 Raymond Boulevard, Newark, New Jersey 07105, for the private sale and redevelopment of the following Property, 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>SQ. FT.</u> |
|---------------------|-------------|--------------|------------|----------------|
| 55-57 Chapel Street | East        | 2461.01      | 1          | 70,440.        |

Total Purchase Price: \$140,000.00 ( approximately \$1.99 per sq. ft.)

2. Said property shall be sold to Raymond Boulevard Properties, LLC, by private sale for the purpose of facilitating access to, and for the operation of, its adjacent business at 497 Raymond Boulevard., and all deeds shall contain resale and/or use restrictions for a period of not less than ten (10) years.
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 Property 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 Property and any other prior legislation authorizing or intended to authorize the sale and/or rehabilitation of the Property is hereby rescinded.
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 the 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 Community and Economic Development Dedicated Trust Fund established under Resolution 7Rg dated November 6, 1985; and ten percent (10%) of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6PhS&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 of Land and Redevelopment, 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 7RB-p, 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 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 Property shall be commenced within three (3) months and be completed within twenty four (24) months from the transfer of ownership of the Property 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 Property as may be necessary. Should the Redeveloper fail to diligently pursue the rehabilitation of the Property, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Property 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 for the Property to Raymond Boulevard Properties, LLC, 497 Raymond Boulevard, Newark, New Jersey 07105 (the "Redeveloper") for a purchase price of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), with One Hundred Ten Thousand Dollars and Zero Cents (\$110,000.00) payable at time of closing and with the Redeveloper being entitled to a credit against the purchase price for the reasonable costs of environmental remediation (as confirmed by the Deputy Mayor/Director of the Department of Economic and Housing Development) in an amount not to exceed Thirty Thousand Dollars and Zero Cents (\$30,000.00). Said Quitclaim Deed conveying title to the Property 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.

**STATEMENT**

This Resolution authorizes the Mayor and/or his designee and the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land with Raymond Boulevard Properties, LLC, 497 Raymond Boulevard, Newark, New Jersey 07105, for the sale and private redevelopment of the following Property, for a purchase price of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00) and for Raymond Boulevard Properties, LLC to assume the obligation to complete the environmental remediation of the Property in exchange for a credit against the purchase price for the reasonable costs of such environmental remediation (as confirmed by the Deputy Mayor/Director of the Department of Economic and Housing Development) in an amount not to exceed Thirty Thousand Dollars and Zero Cents (\$30,000.00) and to thereafter rehabilitate the Property to facilitate access to, and for the operation of, its adjacent business at 497 Raymond Boulevard, 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 of Land and Redevelopment and the East Ward Redevelopment Plan, as amended:

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