



Legislation Details (With Text)

**File #:** 16-1665      **Version:** 1      **Name:** V. Mitchell LLC

**Type:** Resolution      **Status:** Adopted

**File created:** 10/21/2016      **In control:** Economic and Housing Development

**On agenda:** 12/13/2016      **Final action:** 12/13/2016

**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Private Sale/Redevelopment  
Purpose: (1) Rehabilitate property as rental or for-sale housing; (2) Create ancillary parking for adjacent neighborhood restaurant  
Entity Name: V. Mitchell, LLC  
Entity Address: 553-555 Springfield Avenue, Newark, New Jersey 07103  
Sale Amount: \$31,345.60  
Cost Basis: (X) \$4.00 PSF ( ) Negotiated ( ) N/A (X) Other:\$8.00 PSF  
Assessed Amount: \$203,700.00  
Appraised Amount: \$0.00  
Contract Period: To be commenced within 3 months and be completed within 12 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)  
399 S 15th Street/Block 319/Lot 31/West Ward  
641 S 11th Street/Block 2618/Lot 11/ South Ward  
557 Springfield Avenue/Block 2618/Lot 8/South Ward  
Additional Information:  
Project 1: Total Square Footage = 3,510. X \$4.00 = \$14,040.00  
Sale to RFQ respondent at prices set forth by Ordinance 6S&Fh April 7, 2004 establishing the minimum sale price of City-owned property.  
Project 2: Total Square Footage = 2,163.2 X \$8.00 = 17,305.60  
Sale to RFQ respondent owning an adjacent business.  
Total Purchase Price: \$31,345.60

**Sponsors:** John Sharpe James, Eddie Osborne

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/13/2016	1	Municipal Council	Adopt	Pass

**..Title**

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Sale to RFQ respondent owning an adjacent business.

Total Purchase Price: \$31,345.60

**WHEREAS**, the purpose of this resolution is to approve the sale and redevelopment of the following City-owned Properties located in the West and South 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>
399 S 15 <sup>th</sup> Street	West	319	31	35.1X100	3,510.
641 S 11 <sup>th</sup> Street	South	2618	11	25X22	550.
557 Springfield Avenue	South	2618	8	21.8X74	1,613.2

Total Square Footage: 5,673.2

Total Purchase Price: \$31,345.60 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 redevelopment 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**, on August 17, 2005 the Municipal Council thereafter adopted Ordinance 6S&Fc (S) approving the Second Amendment to the West Ward Redevelopment Plan, and Ordinance 6S&Fd(S) approving the Third Amendment to the South Ward Redevelopment Plan, governing the redevelopment of City-owned properties located within the West and South Wards, which includes

the above-referenced Properties respectively; and

**WHEREAS**, the City received a letter of intent for the purchase and redevelopment of the Properties from V. Mitchell, LLC (the “Redeveloper”); and

**WHEREAS**, the Redeveloper, 553-555 Springfield Avenue, Newark, New Jersey 07103 has proposed to the City’s Department of Economic and Housing Development to redevelop the properties to create (1) affordable rental or for-sale housing; and (2) ancillary parking for an adjacent neighborhood restaurant (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 and to redevelop them 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 West Ward and South Ward Redevelopment Plans, 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 V. Mitchell, LLC, whom is willing to purchase the Properties from the City, for the consideration of Thirty-One Thousand, Three Hundred Forty-Five Dollars and Sixty Cents (\$31,345.60), for the purpose of redeveloping said Properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the West Ward and South Ward Redevelopment Plans, 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 V. Mitchell, LLC, 553-555 Springfield Avenue, Newark, New Jersey 07103, for the private sale and redevelopment 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 West Ward and South Ward Redevelopment Plans, 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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557 Springfield Avenue	South	2618	8	21.8X74	1,613.2

Total Square Footage: 5,673.2  
Total Purchase Price: \$31,345.60

2. Said Properties shall be sold to V. Mitchell, LLC by private sale for the purpose of redeveloping the abovementioned properties to create (1) affordable rental or for-sale housing; and (2) ancillary parking for its adjacent neighborhood restaurant.

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.
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 (90) percent 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 (10) percent 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 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 redevelopment of the Properties shall be commenced within three (3) months and be completed within twelve (12) 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 redevelopment 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.

**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 V. Mitchell, LLC, 553-555 Springfield Avenue, Newark, New Jersey 07103, for the private sale and redevelopment 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 West Ward and South Ward Redevelopment Plans, as amended:

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