



Legislation Details (With Text)

File #: 23-1497 **Version:** 1 **Name:** Ordinance: Authorizing an Acquisition by the City from 1160 Raymond Retail Properties, LLC of property at 1166 Raymond Blvd.

Type: Ordinance **Status:** Adopted

File created: 9/13/2023 **In control:** Mayor's Office

On agenda: 10/18/2023 **Final action:** 11/1/2023

Title: AN ORDINANCE AUTHORIZING THE ACQUISITION BY THE CITY OF NEWARK FROM 1160 RAYMOND RETAIL PROPERTIES, LLC OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 8,765 SQUARE FEET OF SPACE IN THE CONDOMINIUM BUILDING LOCATED AT 1160-1166 RAYMOND BOULEVARD, KNOWN AS BLOCK 144.01, LOT 46.03, CONDOMINIUM QUALIFIER C3A, INCLUDING A PROPORTIONATE UNDIVIDED INTEREST IN CERTAIN COMMON ELEMENTS AND LIMITED COMMON ELEMENTS APPURTENANT THERETO, IF ANY, AT A PRICE OF \$2,500,000.00, TO BE FUNDED THROUGH A CAPITAL PROJECTS GRANT FUND AWARDED TO THE CITY OF NEWARK FOR THE PURPOSE OF DEVELOPING AND OPERATING A COMMUNITY RESOURCE CENTER TO PROVIDE HEALTH AND ECONOMIC SERVICES TO RESIDENTS OF THE CITY OF NEWARK.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/1/2023	1	Municipal Council		
10/18/2023	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE AUTHORIZING THE ACQUISITION BY THE CITY OF NEWARK FROM 1160 RAYMOND RETAIL PROPERTIES, LLC OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 8,765 SQUARE FEET OF SPACE IN THE CONDOMINIUM BUILDING LOCATED AT 1160-1166 RAYMOND BOULEVARD, KNOWN AS BLOCK 144.01, LOT 46.03, CONDOMINIUM QUALIFIER C3A, INCLUDING A PROPORTIONATE UNDIVIDED INTEREST IN CERTAIN COMMON ELEMENTS AND LIMITED COMMON ELEMENTS APPURTENANT THERETO, IF ANY, AT A PRICE OF \$2,500,000.00, TO BE FUNDED THROUGH A CAPITAL PROJECTS GRANT FUND AWARDED TO THE CITY OF NEWARK FOR THE PURPOSE OF DEVELOPING AND OPERATING A COMMUNITY RESOURCE CENTER TO PROVIDE HEALTH AND ECONOMIC SERVICES TO RESIDENTS OF THE CITY OF NEWARK.

WHEREAS, the Local Lands and Buildings Law, codified as N.J.S.A. 40A:12-1 et seq. (the “Local Lands and Buildings Law”), provides that a municipality may, by ordinance, acquire real property or an interest therein by purchase, gift, devise, lease, exchange or condemnation; and

WHEREAS, by Resolution 7Rdo(AS), adopted June 15, 2005, by the Municipal Council, the entire City of Newark (the “City”) was designated an “area in need of rehabilitation” as defined by the Local Redevelopment and Housing Law, codified as N.J.S.A. 40A:12A-1 et seq., including the land, improvements, and property located at 1160-1166 Raymond Boulevard, also known as Block 144.01, Lot 46.03, Condominium Qualifier C3A, on the Official Tax Map of the City of Newark (collectively, the

“Condominium Property”); and

WHEREAS, approximately 23,674 square feet of the condominium building located on the Condominium Property together with a proportionate undivided interest in the Common Elements and Limited Common Elements (as such terms are defined in the hereinafter defined Master Deed) appurtenant thereto, if any, (collectively, the “Retail Unit”) is owned in fee simple by Didco Urban Renewal Company, a New Jersey Limited Partnership, with offices at 3003 English Creek Avenue, D13A, Egg Harbor Township, New Jersey 08234 (“Didco”); and

WHEREAS, the Retail Unit comprises 9.76% of, and is one of three (3) units of the Condominium Property, which property is organized, pursuant to the Master Deed dated July 25, 1993, as amended by that First Amendment to Master Deed dated April 2, 2021 (collectively, the “Master Deed”); and

WHEREAS, 1160 Raymond Retail Properties, LLC, a Delaware Limited Liability Company with offices at 110 Edison Place, Suite 300, Newark, New Jersey 07102, has entered into an agreement with Didco to acquire Didco’s fee simple interest in the Retail Unit; and

WHEREAS, 1160 Raymond Retail Properties, LLC, following the closing on its acquisition of the Retail Unit from Didco, intends to cause the subdivision of the Retail Unit in order to create a new separate condominium unit in the Condominium Property comprised of approximately 8,765 square feet of space (the “City Unit”), together with a proportionate undivided interest in the Common Elements and Limited Common Elements (as defined in the Master Deed) appurtenant to the Condominium Property, if any (collectively, the “Property”); and

WHEREAS, the Property has been offered for sale by 1160 Raymond Retail Properties, LLC to the City; and

WHEREAS, the Director of the Mayor’s Office of Homeless Services has determined that the Property is suitable for developing and operating a community resource center to offer health and economic services to residents of the City (the “Community Resource Center”); and

WHEREAS, the City has received a grant in the amount of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00), from a Capital Projects Fund allocation by the United States Treasury Department to the State of New Jersey (the “Grant”), which has been awarded to the City specifically for the acquisition of the Property for use as Community Resource Center; and

WHEREAS, following the acquisition of the Retail Unit (including the Property) and subdivision of the Retail Unit to create the Property by 1160 Raymond Retail Properties, LLC, the City seeks to acquire 1160 Raymond Properties, LLC’s fee simple interest in the Property as is authorized by the Local Lands and Buildings Law; and

WHEREAS, pursuant to the Local Lands and Buildings Law, the City has negotiated a Purchase and Sale Agreement with 1160 Raymond Retail Properties, LLC, outlining the terms of the purchase of the Property, as described on the Legal Description set forth in Exhibit A to the Purchase and Sale Agreement, attached hereto as Exhibit “A” and made a part of this Ordinance, for the sum of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00), which purchase price is to be funded by the Grant.

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

1. Pursuant to the Local Lands and Buildings Law, the City is hereby authorized to use the Capital Fund allocation by the United States Treasury Department to the State of New Jersey (the "Grant") to acquire property from 1160 Raymond Retail Properties, LLC, a Delaware Limited Liability Company with offices at 110 Edison Place, Suite 300, Newark, New Jersey 07102, which property consists of approximately 8,765 square feet of space in a portion of the condominium building located at 1160-1166 Raymond Boulevard and designated on the Official Tax Map of the City of Newark, as Block 144.01, Lot 46.03, Condominium Qualifier C3A, together with a proportionate, undivided interest in the Common Elements and Limited Common Elements appurtenant thereto (the "Property") for the sum of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00). Said acquisition shall be funded by grant funds in the amount of Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00) awarded to the City of Newark by the United States Department of the Treasury for the purpose of developing and operating a Community Resource Center (the "Grant") and shall be contingent upon the City's receipt of said funds.

2. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, subject to the City's Corporation Counsel's review and approval, are hereby authorized to execute and deliver, on the City's behalf, a Purchase and Sale Agreement for the acquisition of the Property in a form substantially similar to the purchase and sale agreement attached hereto as Exhibit A (the "Agreement").

3. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to execute and/or deliver any and all documents and certificates necessary or convenient to effectuate the acquisition of the Property authorized herein (the "Documents"), including, without limitation, a closing statement and a transfer tax return. Said Documents shall be subject to the approval of the City's Corporation Counsel. The City Clerk is authorized to acknowledge and to attest to any document necessary to effectuate the acquisition of the Property.

4. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development and/or the Director of the Department of Finance are hereby authorized to utilize the Grant to purchase the Property. The Director of the Department of Finance is further authorized to expend grant funds necessary to pay for incidental fees and costs associated with the purchase of the Property, including, but not limited to title fees, adjusted closing balances, search fees, recording fees. Pursuant to N.J.S.A. 40A:12-5, subject to approval of the Municipal Council by Resolution, the Director of the Mayor's Office of Homeless Services is authorized to furnish and equip the Property for the proper use as a Community Resource Center.

5. The Deputy Mayor/Director of the Department of Economic and Housing Development shall cause a copy of the executed Documents together with a copy of this Ordinance to be placed on file in the Office of the City Clerk.

6. This Ordinance shall take effect upon final passage and publication and in accordance with the laws of the State of New Jersey.

STATEMENT

An Ordinance authorizing the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to acquire from 1160 Raymond Retail Properties on the City's behalf approximately 8,765 square feet of space in the condominium building located at 1160-1166 Raymond Boulevard, further known as Block 144.01, Lot 46.03, Condominium Qualifier C3A, together with a proportionate undivided interest in the common elements and limited common elements appurtenant to the condominium building, if any, for the sum of \$2,500,000.00, funded through the Capital Projects Fund Grant awarded to the City of Newark for the development and operation of a Community Resource Center offering health and economic services to City of Newark residents.