



Legislation Details (With Text)

File #: 12-1039 **Version:** 2 **Name:** Lease of Kasberger Field with North Newark Little League
Type: Ordinance **Status:** Filed
File created: 4/26/2012 **In control:** Engineering
On agenda: 6/7/2012 **Final action:** 6/20/2012

Title: AN ORDINANCE AUTHORIZING A LEASE BETWEEN THE CITY OF NEWARK, LANDLORD, AND THE NORTH NEWARK LITTLE LEAGUE/ ROSEVILLE SPORTS GROUP OF NORTH NEWARK, INC., TENANT, TO LEASE A PORTION OF THE PREMISES KNOWN AS 415-439 5TH STREET, NEWARK, NEW JERSEY, ALSO KNOWN ON THE OFFICIAL TAX MAP AND TAX DUPLICATES AS BLOCK 1950, LOT 1, KNOWN AND DESIGNATED AS KASBERGER FIELD AND A BATTING CAGE FACILITY LOCATED THEREON FOR THE SUM OF ONE DOLLAR (\$1.00), FOR A PERIOD COMMENCING APRIL 1, 2012 AND CONTINUING THROUGH MARCH 31, 2017.

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|---|--------|
| 6/20/2012 | 2 | Municipal Council | Close on Public Hearing and Adopt | Pass |
| 6/7/2012 | 2 | Municipal Council | Advance and Adopt on First Reading as 6F- | Pass |

AN ORDINANCE AUTHORIZING A LEASE BETWEEN THE CITY OF NEWARK, LANDLORD, AND THE NORTH NEWARK LITTLE LEAGUE/ ROSEVILLE SPORTS GROUP OF NORTH NEWARK, INC., TENANT, TO LEASE A PORTION OF THE PREMISES KNOWN AS 415-439 5TH STREET, NEWARK, NEW JERSEY, ALSO KNOWN ON THE OFFICIAL TAX MAP AND TAX DUPLICATES AS BLOCK 1950, LOT 1, KNOWN AND DESIGNATED AS KASBERGER FIELD AND A BATTING CAGE FACILITY LOCATED THEREON FOR THE SUM OF ONE DOLLAR (\$1.00), FOR A PERIOD COMMENCING APRIL 1, 2012 AND CONTINUING THROUGH MARCH 31, 2017.

WHEREAS, the City of Newark (the Landlord”), a municipal corporation of the State of New Jersey, is the fee owner of that certain parcel of land having a street address of 415-439 5th Street, Newark, New Jersey, (Block 1950, Lot 1), commonly known as Kasberger Field, together with a certain building known as the batting cage facility (the “Building”) and all other improvements, personal property and fixtures located thereon (the “Demised Premises”); and

WHEREAS, the North Newark Little League/Roseville Sports Group of North Newark, Inc. (the “Tenant”) is a non-profit corporation, having an address at 532 North 7th Street, Newark, NJ 07107; and

WHEREAS, Tenant is in need of renting the Demised Premises from the Landlord for the purpose of installing, maintaining and operating a Landlord approved batting cage, a little league baseball training facility, and related functions and uses incidental therewith which shall promote the health, safety, morals and general welfare of the community; and

WHEREAS, the Landlord wishes to enter into a Lease Agreement with Tenant to lease the Demised Premises, pursuant to the terms and conditions of a Lease Agreement, which is attached hereto and made a part of this Ordinance and;

WHEREAS, the leasing of the Demised Premises is governed by N.J.S.A. 40:60-51.12.

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

1. The Mayor and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a Lease Agreement in the form attached hereto, on behalf of the City of Newark, ("Landlord"), with the North Newark Little League/Roseville Sports Group of North Newark, Inc. (the "Tenant"), having an address at 532 North 7th Street, Newark, NJ 07107, for the use of 415-439 5th Street, Newark, New Jersey, (Block 1950, Lot 1) commonly known as Kasberger Field, together with a certain building known as the batting cage facility (the "Building") and all other improvements, personal property and fixtures located thereon (the "Demised Premises") for the purpose of installing, maintaining and operating a Landlord approved batting cage, a little league baseball training facility, and related functions and uses incidental therewith which shall promote the health, safety, morals and general welfare of the community.

2. The term of this Lease Agreement shall be from April 1, 2012 through March 31, 2017.

3. This Lease Agreement is ratified from April 1, 2012 until the date of adoption of this Ordinance.

4. Tenant shall as consideration for the said Lease Agreement, pay the Landlord the sum of \$1.00.

5. The City is authorized to enter into this Lease Agreement pursuant to N.J.S.A. 40:60-51.12.

6. Both, the Landlord and the Tenant shall be responsible for the enforcement and compliance with the covenants and conditions of the Lease Agreement.

7. A copy of both the fully executed Lease Agreement and this Ordinance shall be permanently filed in the Office of the City Clerk by the Business Administrator.

8. If any provision of this Ordinance is deemed unlawful by a Court and is found to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Agreement shall continue in full force and effect.

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

STATEMENT

This Ordinance authorizes the Mayor and/or his designee the Business Administrator, to enter into and execute a Lease Agreement with the North Newark Little League/Roseville Sports Group of North Newark, Inc. (the "Tenant"), having an address at 532 North 7th Street, Newark, NJ 07107, for the use of 415-439 5th Street, Newark, New Jersey, (Block 1950, Lot 1) commonly known as Kasberger Field, together with a certain building known as the batting cage facility (the "Building") and all other improvements, personal property and fixtures located thereon (the "Demised Premises") for the purpose of installing, maintaining and operating a Landlord approved batting cage, a little league baseball training facility, and

related functions and uses incidental therewith which shall promote the health, safety, morals and general welfare of the community, for the term of April 1, 2012 through March 31, 2017.