



Legislation Details (With Text)

**File #:** 18-1080      **Version:** 1      **Name:** N 13th St. Basketball Court Lease  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 6/29/2018      **In control:** Economic and Housing Development  
**On agenda:** 7/11/2018      **Final action:** 8/8/2018

**Title:** ORDINANCE AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE, THE ACTING DIRECTOR OF THE DEPARTMENT OF ECONOMIC AND HOUSING DEVELOPMENT TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH MAYOR REAL ESTATE LLC, 191 NORTH 13TH STREET, NEWARK, NEW JERSEY 07107, FOR THE PROPERTIES LOCATED AT 197 AND 199 NORTH 13TH STREET (BLOCK 1940, LOTS 51 AND 52), WITHIN THE WEST WARD, NEWARK, NEW JERSEY FOR AN ANNUAL RENT OF ONE DOLLAR AND ZERO CENTS (\$1.00) PLUS ADDITIONAL RENT FOR MONTHLY UTILITIES AND QUARTERLY PROPERTY TAXES, FOR A PERIOD COMMENCING AUGUST 1, 2018 AND TERMINATING ON JULY 31, 2028, FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A NEIGHBORHOOD BASKETBALL PARK WHICH SHALL BE NAMED THE "MAHER M. SOLIMAN BASKETBALL COURT".

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/8/2018	1	Municipal Council	Close on Public Hearing and Adopt	Pass
7/11/2018	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

**ORDINANCE AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE, THE ACTING DIRECTOR OF THE DEPARTMENT OF ECONOMIC AND HOUSING DEVELOPMENT TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH MAYOR REAL ESTATE LLC, 191 NORTH 13<sup>TH</sup> STREET, NEWARK, NEW JERSEY 07107, FOR THE PROPERTIES LOCATED AT 197 AND 199 NORTH 13<sup>TH</sup> STREET (BLOCK 1940, LOTS 51 AND 52), WITHIN THE WEST WARD, NEWARK, NEW JERSEY FOR AN ANNUAL RENT OF ONE DOLLAR AND ZERO CENTS (\$1.00) PLUS ADDITIONAL RENT FOR MONTHLY UTILITIES AND QUARTERLY PROPERTY TAXES, FOR A PERIOD COMMENCING AUGUST 1, 2018 AND TERMINATING ON JULY 31, 2028, FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A NEIGHBORHOOD BASKETBALL PARK WHICH SHALL BE NAMED THE "MAHER M. SOLIMAN BASKETBALL COURT".**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented ("Redevelopment Law"), provides a process for municipalities to undertake the redevelopment, rehabilitation and improvement of areas in need of rehabilitation; and

**WHEREAS**, a municipality is duly authorized and empowered under the Redevelopment Law to lease real property from any other party, without public bidding, at such prices and upon such terms as it deems reasonable, provided said lease is made in conjunction with a redevelopment plan in accordance with the provisions of N.J.S.A. 40A:12A-8(g), notwithstanding the provisions of any law, rule or regulation to the contrary; 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 Redevelopment Law; and

**WHEREAS**, the Municipal Council thereafter adopted Ordinance 6S&Fc(S) on August 17, 2005, adopting the First Amendment to the West Ward Redevelopment Plan governing the redevelopment of City-owned properties located within the West Ward, which applies to the City-owned properties commonly known as 197 and 199 North 13<sup>th</sup> Street, Block 1940, Lots 51 and 52 (the Properties”) on the Official Tax Maps of the City of Newark, New Jersey; and

**WHEREAS**, the City of Newark, desires to lease the Properties from Mayor Real Estate LLC, 191 North 13<sup>th</sup> Street, Newark, New Jersey, 07107, for the purpose of constructing, operating, and maintaining a neighborhood basketball park; and

**WHEREAS**, Mayor Real Estate LLC, consents to the City’s alterations and use of the property pursuant to the Lease Agreement attached hereto and made a part hereof; and

**WHEREAS**, Mayor Real Estate LLC wishes to dedicate the basketball park to the “City of Newark” and name the basketball court the “Maher M. Soliman Basketball Court”; and

**WHEREAS**, The City of Newark will lease said premises for an annual nominal consideration of One Dollar and Zero Cents (\$1.00) for a period of ten (10) years commencing August 1, 2018 and terminating not later than July 31, 2028.

**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 Acting Director of the Department of Economic and Housing Development are hereby authorized to execute and enter into the Lease Agreement, in the form attached hereto, on behalf of the City of Newark, Lessee, with Mayor Real Estate LLC, Lessor, pursuant to N.J.S.A. 40A:12A-8(g), for the lease of the properties commonly known as 197 and 199 North 13<sup>th</sup> Street, Block 1940, Lots 51 and 52 (the Properties”) on the Official Tax Maps of the City of Newark, New Jersey, for a period of ten (10) years commencing August 1, 2018 and terminating not later than July 31, 2028, for the purpose of constructing, operating, and maintaining a neighborhood basketball park.
2. The City of Newark shall pay the Landlord during the term of the lease One Dollar and Zero Cents (\$1.00) per year for a total of Ten Dollars and Zero Cents (\$10.00). The entire rent shall be paid to the Landord at the time of the parties’ execution of the Lease.
3. The City of Newark shall for the term of the lease also pay, as additional rent, the costs of utilities, if any, and the quarterly municipal tax on the Properties, thirty (30) days after receipt of invoice for the same.
4. The Municipal Council of the City of Newark, New Jersey ratifies the Lease Agreement from August 1, 2018 to the date of adoption of this Ordinance.

5. The properties shall be used for the purposes of constructing, operating, and maintaining a neighborhood basketball park which shall be named the “Maher M. Soliman Basketball Court”.
6. The Acting Director of the Department of Economic and Housing Development or his designee shall be responsible for the adherence to the covenants and conditions of the Lease Agreement.
7. A copy of the Lease Agreement and this Ordinance shall be permanently filed in the Office of the City Clerk by the Acting Director of the Department of Economic and Housing Development.
8. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

### **STATEMENT**

This Ordinance ratifies and authorizes the Mayor and/or his designee, the Acting Director of the Department of Economic and Housing Development to enter into and execute a Lease Agreement with Mayor Real Estate LLC (Lessor), 191 North 13<sup>th</sup> Street, Newark, New Jersey, for the properties located at 197 and 199 North 13<sup>th</sup> Street (Block 1940, Lots 51 and 52), Newark, New Jersey, at an annual rent of One Dollar and Zero Cents (\$1.00), plus additional rent for monthly utilities and quarterly property taxes, for a period of ten (10) years commencing August 1, 2018 and terminating not later than July 31, 2028, for the purpose of constructing, operating, and maintaining a neighborhood basketball park which shall be named the “Maher M. Soliman Basketball Court.”