



Legislation Details (With Text)

**File #:** 23-1000      **Version:** 1      **Name:** Resolution: First Amendment to the Redevelopment Agreement - The Newark Museum Association  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/13/2023      **In control:** Economic and Housing Development  
**On agenda:** 8/8/2023      **Final action:** 8/8/2023

**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Redevelopment Agreement  
Purpose: Amending Exhibit B to Ordinance 6PSF-d(S) authorizing execution of Redevelopment Agreement with The Newark Museum Association.  
Entity Name: The Newark Museum Association  
Entity Address: 49 Washington Street, Newark, New Jersey 07102  
Contract Amount: \$125,410.00  
Funding Source: The Newark Museum Association  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a  
List of Property:  
(Address/Block/Lot/Ward)  
47-55 Washington Street/Block 34/Lot 9/Central  
47-55 Washington Street/Block 34/Lot 10/Central  
47-55 Washington Street/Block 34/Lot 11/Central  
47-55 Washington Street/Block 34/Lot 12/Central  
65 Central Avenue/Block 35/Lot 29/Central  
47-55 Washington Street/Block 35 34/Lot 30/Central  
Addition Information:  
Ordinance 6PSF-d(S) adopted on August 30, 2022.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/8/2023	1	Municipal Council	Adopt	Pass

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47-55 Washington Street/Block 35 **34**/Lot 30/Central

**Addition Information:**

Ordinance 6PSF-d(S) adopted on August 30, 2022.

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), authorizes the municipalities to participate in the redevelopment and improvement of areas that are in need of redevelopment or rehabilitation; and

**WHEREAS**, in order to stimulate the reinvigoration of the City of Newark (the "City"), by Resolution 7Rdo(AS) adopted on June 15, 2005, the entire City was designated as an area in need of rehabilitation pursuant to the Act; and

**WHEREAS**, the Municipal Council then approved the Central Ward Redevelopment Plan, including any amendments, for the redevelopment area within which the Properties are located (the "Redevelopment Plan"); and

**WHEREAS**, the City is the record fee owner of the following properties located on 47-55 Washington Street and 64 Central Avenue: Block 34, Lots 9, 10, 11, and 12 and **30 and** Block 35, Lots 29 and 30, together with the rights of the City as owner of Lot 29 to its appurtenant rights in the adjacent alley between Lots 29 and 31, (collectively referred to as the "Properties"), which are situated within the Redevelopment Plan; and

**WHEREAS**, the Newark Museum Association (the "Redeveloper") is the fee owner of certain real property upon which the Newark Museum of Art is operated and maintained and located within the Redevelopment Plan; and

**WHEREAS**, based upon its title search, Redeveloper is the record owner of the following lots, title to which had been conveyed to Redeveloper as follows:

**Lots 1 and 47, Block 34** - Newark Museum Association by Deed from The United Hospitals of Newark dated July 24, 1972, recorded July 26, 1972 in Deed Book 4415 Page 583; and

**Lots 20, 21, 22, 27, 28, & 35, Block 35** -Newark Museum Association by Deed from Center Parking Corp. dated December 17, 1986, recorded January 27, 1987 in Deed Book 4954 Page 973; and

**Lots 31, 32, 33, 34, Block 35** - Newark Museum Association by Deed from J. Wallace Scanlon, Elizabeth A. McHugh and The Howard Savings Bank, Executors of the Estate of Fred W. Radel dated February 22, 1982, recorded March 2, 1982 in Deed Book 4743 Page 972; and

**Lot 23, Block 35** - Newark Museum Association by Deed from City of Newark dated May 22,

2012, recorded June 1, 2012 in Deed Book 12371 Page 6517; and

**Lot 24, Block 35** - Newark Museum Association by Deed from Local 617 - Seiu A/K/A Local 617 Service Employees International Union dated September 16, 2009, recorded September 18, 2009 in Deed Book 12217 Page 8565; and

(collectively referred to as the "Newark Museum Properties"); and

**WHEREAS**, the Deed dated May 22, 2012, from the City to the Redeveloper for Lot 23, Block 35 (the "2012 Deed") provided that Lot 23, Block 35 was conveyed to the Redeveloper for the purpose of creating a new plaza and that all deeds from the Redeveloper shall contain a resale and/or use restriction for a period of not less than ten years; and

**WHEREAS**, the City acknowledges that the plaza redevelopment as contemplated in the 2012 Deed was satisfactorily completed by the Redeveloper and that the ten (10) year resale/use restriction has expired as of May 22, 2022; and

**WHEREAS**, the Redeveloper intends to have the Newark Museum Properties redeveloped as a mixed-use arts, retail, and residential development to be known as Museum Parc ("Museum Parc"). The proposed project will include approximately two hundred fifty-one (251) residential units, twenty percent (20%) of which are anticipated to be affordable rental units and a new "mews" street, connecting Washington Street and University Avenue through the Museum's Sculpture Garden. The redevelopment will also have non-residential spaces, which will include Museum specific improvements, such as gallery space, education space, administration space, retail space, dining facilities and other Museum-related enhancements; and

**WHEREAS**, the Museum Parc project will include: (a) a low rise, building on the corner of Central Avenue and Washington Street; and (b) a mid-rise building on Central Avenue, that will include new Museum facilities, including a Gallery, that will be included within the new residential/retail building to be constructed; and

**WHEREAS**, the Museum Parc project will be developed on the following lots within the existing boundaries of the existing Newark Museum site that is bounded by Washington Street, Central Avenue and University Avenue: Lots 1 and 47 in Block 34, and Lots 21, 22, 23, 24, 27, 28, 29, 31, 32, 33, 34, 35 in Block 35, as shown on the Official Tax Map of the City of Newark; and

**WHEREAS**, in order to redevelop the Museum Parc project, the Redeveloper will be required to acquire the Properties from the City of Newark; and

**WHEREAS**, the Museum Parc project, with its new residential units, retail shops and upgraded and expanded Museum facilities, will have the immediate impact of significantly enhancing the surrounding community and the experience of visitors of the Newark Museum, and furthering the goals of the City of Newark to expand its commitment to the arts and education; and

**WHEREAS**, the Museum Parc project will have significant benefits for the City and its residents, by advancing the important role of arts, culture and education within the City, adding taxable assets to the City rolls and increasing the supply of quality affordable housing units in the City's downtown; and

**WHEREAS**, the City acknowledges and agrees that it is the intention of the Redeveloper to combine Lot 29 in Block 35 (together with the rights of the City as owner of Lot 29 to its appurtenant rights in the adjacent alley between Lots 29 and 31) with the Newark Museum Properties (collectively, the "Project Parcels"); and

**WHEREAS**, on August 30, 2022, the City adopted Ordinance 6PSF-d(s) authorizing the sale and transfer of the City Properties and the execution of a Redevelopment Agreement to construct the Museum Parc project; and

**WHEREAS**, the Redevelopment Agreement affixed as Exhibit B to Ordinance 6PSF-d(s) was erroneously attached as it was not the final draft of the negotiated Redevelopment Agreement between the City and the Redeveloper; and

**WHEREAS**, the City and Redeveloper desire to correct the Redevelopment Agreement approved by Ordinance 6PSF-d(S) and enter into the Agreement for the Sale and Redevelopment of Land attached hereto as Exhibit A; and

**WHEREAS**, the Agreement for the Sale and Redevelopment of Land attached hereto as Exhibit A shall supersede any previous agreement(s) or conditions related to the redevelopment of the Properties.

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

1. The Mayor of the City of Newark and/or the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby: (a) authorized to enter into and execute an Agreement for the Sale and Redevelopment of Land (the "Agreement), in substantially the form attached hereto as Exhibit A.
2. 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 Agreement and may enter into any related documents which may be necessary in order to effectuate the Agreement.
3. The executed Agreement shall be placed on file in the Office of the City Clerk by the Deputy Mayor/Director of Department of Economic and Housing Development.

### **STATEMENT**

This Resolution authorizes the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into and execute an Agreement with the Newark Museum of Art, 49 Washington Street, Newark, New Jersey 07102 for the redevelopment of the properties identified on the Official Tax Map of the City of Newark, as Block 34, Lots 9, 10, 11, and 12 and **30 and** Block 35, Lots 29 and 30.