



## Legislation Text

File #: 12-1861, Version: 1

**Dept/ Agency:** Economic & Housing Development

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Right of Entry Agreement

**Purpose:** To allow access to provide environmental assessment

**Entity Name:** Exxon Mobil Corporation

**Entity Address:** 471 Orange Street, Newark, New Jersey

**Contract Period:** Until assessment completed

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Location of Property:** 470-476 Orange Street, Newark, New Jersey (**Address/Block/Lot/Ward**)  
471 Orange Street, Block 1888, Lot 8, Central Ward

**Additional Information:**

Ordinance 6PSFA(S) 101410 authorized Sale Leaseback Agreement

**WHEREAS**, the Essex County Improvement Authority (“ECIA”) is the owner of the property located at 470-476 Orange Street, Newark, New Jersey, as shown on the official tax map of the City as Block 1888, Lot 8 (the “Property”); and

**WHEREAS**, the Property is currently being leased by ECIA to the City pursuant to a Lease Purchase Agreement entered into between ECIA, as lessor, and City, as lessee, approved by the Municipal Council on October 14, 2010 through Ordinance 6PSFA(S) (the “Lease Purchase Agreement”); and

**WHEREAS**, Exxon Mobil Corporation its affiliates, and its environmental consultants (one or more independent contractors hired by Exxon Mobil Corporation, together with their subcontractors) collectively wish to access the Property for the purpose of performing environmental assessments in connection with Exxon Mobil’s environmental remediation of the former Exxon service station located at 471 Orange Street, Newark, New Jersey; and

**WHEREAS**, the City wishes to enter into a three-party Site Access Agreement between Exxon Mobil Corporation, Essex County Improvement Authority, and the City of Newark to permit Exxon Mobil Corporation to access to the Property to perform the above environmental assessments.

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

1. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, is hereby authorized to execute a three-party Site Access Agreement between Exxon Mobil Corporation, Essex County Improvement Authority, and the City of Newark, in the form attached hereto, for the purpose of allowing ExxonMobil access to

the property located at 470-476 Orange Street, Newark, New Jersey, as shown on the official tax map of the City as Block 1888, Lot 8 (the "Property") to perform environmental assessments in connection with Exxon Mobil's environmental remediation of the former Exxon service station located at 471 Orange, Street, Newark, New Jersey.

2. The Access Agreement shall be in effect until such time as Exxon Mobil Corporation is able to finalize the above-referenced environmental assessments on the Property.
3. No Municipal funds shall be expended or are required under this resolution.
4. The Deputy Mayor/Director of the Department of Economic & Housing Development shall file a copy of the Access Agreement with the Office of the City Clerk as attached hereto.

#### STATEMENT

This Resolution authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development to execute a three-party Site Access Agreement between Exxon Mobil Corporation,, Essex County Improvement Authority, and the City of Newark in the form attached hereto, for the purpose of allowing Exxon Mobil Corporation access to the property located at 470-476 Orange Street, Newark, New Jersey, as shown on the official tax map of the City as Block 1888, Lot 8 (the "Property") to perform environmental assessments in connection with Exxon Mobil's environmental remediation of the former Exxon service station located at 471 Orange, Street Newark, New Jersey