



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-0483, Version: 1

AN ORDINANCE TO ACQUIRE ALL OR A PORTION OF 10-18 PASSAIC PLACE AND 930 MCCARTER HIGHWAY, BLOCK 1, LOTS 30 AND 46 FROM THE NEWARK HOUSING AUTHORITY FOR THE RIVERFRONT WALKWAY AND TO CONVEY THE REMAINING PORTIONS TO NEWARK WATERFRONT ASSOCIATES, LLC, 120 ALBANY STREET, NEW BRUNSWICK, NEW JERSEY 08901, FOR REDEVELOPMENT. (CENTRAL WARD)

WHEREAS, on June 15, 2005, the City of Newark ("City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate the entire City of Newark as an area in need of rehabilitation; and

WHEREAS, on August 7, 2013, the Municipal Council of the City adopted Ordinance 6PSF-i approving the Newark's River: Public Access and Redevelopment Plan, which has been amended from time to time (the "Redevelopment Plan"); and

WHEREAS, the Newark Housing Authority (the "Authority") currently has an interest in all or a portion of 10-18 Passaic Place and 930 McCarter Highway, identified as Block 1, Lots 30 and 46 on the City of Newark Tax Maps, including adjacent rights of way (the "Property"); and

WHEREAS, the City requires a portion of the Properties located along the Passaic River in order to complete its riverfront walkway project (the "Riverfront Walkway") in accordance with the Redevelopment Plan; and

WHEREAS, the Authority has requested fair market value for the Property; and

WHEREAS, two appraisals have been performed to determine the fair market value for the Property attached hereto as Exhibits B and C; and

WHEREAS, the Authority and the City have agreed upon a purchase price for the Property in the amount of One Million Two Hundred Fifty Thousand Dollars and Zero Cents (\$1,250,000.00) (the "Purchase Price"); and

WHEREAS, pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., the City is authorized to acquire property in furtherance of its redevelopment projects or public projects; and

WHEREAS, the City shall acquire the Properties from the Authority pursuant to the Agreement with the Authority attached hereto as Exhibit A; and

WHEREAS, the City does not require the entirety of the Properties for the Riverfront Walkway, and previously determined that the development of the remaining portions of the Properties as a

mixed-use project would best facilitate the Riverfront Walkway project and the redevelopment of the entire area in accordance with the Redevelopment Plan; and

WHEREAS, the City designated Newark Waterfront Associates, LLC (the “Redeveloper”) as the exclusive redeveloper of the Property, excluding the Riverfront Walkway, and on December 19, 2017 entered into a Redevelopment Agreement with the City (the “Redevelopment Agreement”) for the Properties, excluding the Riverfront Walkway; and

WHEREAS, the Redevelopment Agreement contemplates, among other things, the sale of the Properties, excluding the Riverfront Walkway, by the City to the Redeveloper for the Purchase Price; and

WHEREAS, pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., the City is authorized to convey property in furtherance of its redevelopment projects or public projects; and

WHEREAS, immediately after the City’s acquisition of the Properties for the Purchase Price, the Redeveloper shall immediately acquire the Properties, excluding the Riverfront Walkway, from the City for the Purchase Price pursuant to the Redevelopment Agreement.

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

Section 1. The Agreement for Purchase of Real Property with the Authority in the form attached hereto as Exhibit A is hereby approved.

Section 2. The Mayor and/or Acting Director of the Department of the Economic and Housing Development are each hereby authorized to acquire for the City, Newark Housing Authority’s (“the Authority”) interest in the Properties for the Purchase Price.

Section 3. The Mayor and/or Acting Director of the Department of the Economic and Housing Development are each hereby authorized to execute the attached Agreement on the City’s behalf along with any additional documents necessary or convenient to acquire the Authority’s interest in the Properties and to effectuate the terms of the Agreement.

Section 4. Upon acquisition, the City hereby authorizes the Properties, excluding the Riverfront Walkway, to be immediately conveyed to Newark Waterfront Associates, LLC, (“the Redeveloper”) for the Purchase Price of \$1,250,000.00.

Section 5. The Mayor and/or Acting Director of the Department of the Economic and Housing Development are each hereby authorized to enter into and execute, and the City Clerk and/or Deputy Clerk is hereby authorized to attest to, the Deed(s) and other documents required for the transfer of the Properties, excluding the Riverfront Walkway, to the Redeveloper.

Section 6. The Mayor and/or Acting Director of the Department of the Economic and Housing Development are each hereby authorized to execute and deliver any and all documents, plans, applications and certificates necessary or convenient to effectuate the transactions authorized herein and contemplated in the Redevelopment Agreement, including, without limitation, an affidavit

of title, a plan removing the Riverfront Walkway from the Properties, a closing statement and a continuing disclosure agreement.

Section 7. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

Authorization for the acquisition of the Newark Housing Authority's interest in the Properties and for the conveyance of the Properties, 10-18 Passaic Place and 930 McCarter Highway, block 1 Lots 30 and 46. excluding the Riverfront Walkway, to Newark Waterfront Associates, LLC, immediately upon the acquisition by the City.