



Legislation Text

File #: 23-1791, Version: 1

AN ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT EASEMENT OVER CITY OF NEWARK PUBLIC RIGHT-OF-WAY ON INTERNATIONAL WAY AND UNDER THE HAYNES AVENUE BRIDGE AS INDICATED IN THE “ACQUISITION MAP” AS PARCEL 5.2 TO THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-13(b)(4), FOR THE SUM OF \$1.00.

No Action Taken 8-d 111323

WHEREAS, the City of Newark (the “City”) is the owner of the public rights located on International Way and under the Haynes Avenue Bridge, City of Newark, Essex County, New Jersey; and

WHEREAS, the Port Authority of New York and New Jersey (the “PANYNJ”) seeks to acquire a permanent easement of Parcel 5.2 (the “Property”); and

WHEREAS, the City has negotiated the Newark Liberty International Airport AirTrain Replacement Program Agreement (the “Agreement”) with PANYNJ, outlining the terms of the purchase of the Property; and

WHEREAS, the City has agreed to terminate the Hartz Mountain Industries, Inc. Permanent Easement under the Haynes Avenue Bridge, as described on Exhibit B-2, “Parcel 5.2/Hartz Easement”, City of Newark, Essex County, New Jersey; and

WHEREAS, the Agreement provides for a Permanent Easement on the Property, as described in Exhibit A, “Acquisition Map”; and

WHEREAS, pursuant to Local Lands and Buildings Law, N.J.S.A. 40A:12-13(b)(4), the City is authorized to convey property that is not needed for municipal purposes without public bidding; and

WHEREAS, PANYNJ desires to acquire the easement on the Property from the City for planned construction and as such is being acquired by PANYNJ in accordance with the value of One Dollar and Zero Cents (\$1.00), pursuant to N.J.S.A. 40A:12-13(b)(4).

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

SECTION 1. The City of Newark hereby authorizes that the Permanent Easement on a Portion of City-owned property as described in the Newark Liberty International Airport AirTrain Replacement Program Agreement, City of Newark, Essex County, New Jersey and Exhibit A, “Acquisition Map”, collectively, be granted to the Port Authority of New York and New Jersey for the consideration of One Dollar and Zero Cents (\$1.00), pursuant to N.J.S.A. 40A:12-13(b)(4).

SECTION 2. The Acting Director of the Department Engineering is hereby authorized to enter into and execute the “Newark Liberty International Airport AirTrain Replacement Program Agreement”, in the form attached hereto, granting a Permanent Easement on and under the City Right-of-Way, any and all other documents, which may be necessary, in order to effectuate the Permanent Easement on the above property all in forms subject to the approval of the City’s Corporation Counsel.

SECTION 3. The Director of the Department of Finance is hereby authorized to place the consideration of One Dollar and Zero Cents (\$1.00) in the Redevelopment Trust Fund.

SECTION 4. The Acting Director of the Department of Engineering shall place a copy of the executed Agreement on file in the Office of the City Clerk along with this Ordinance.

SECTION 5. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

Ordinance allowing the City of Newark, pursuant to the New Jersey “Local Lands and Buildings Law,” N.J.S.A. 40A:12-13(b)(4), to convey a Permanent Easement to the Port Authority of New York and New Jersey, for the sum of \$1.00, on a portion of City-owned public rights, not needed for public use, located in Parcel 5.2 as described in Exhibit A, “Acquisition Map”.