



## Legislation Text

File #: 17-0337, Version: 2

**AN ORDINANCE AMENDING ORDINANCE 6PSF-D, MARCH 18, 2015 AND RESTATING ORIGINAL TAX ABATEMENT GRANTED TO MONTGOMERY TWO HOUSING URBAN RENEWAL, LLC, THE OWNER OF AN APARTMENT COMPLEX LOCATED ON PROPERTY COMMONLY KNOWN AS 685-715 DR. MARTIN LUTHER KING, JR., BOULEVARD AND IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY AS BLOCK 2559, LOT 7 (CENTRAL WARD).**

**WHEREAS**, on March 18, 2015, the Newark Municipal Council adopted Ordinance 6PSF-d granting a long term tax abatement to Montgomery Two Housing Urban Renewal, LLC c/o Pennrose Properties, 230 Wyoming Avenue, Kingston, Pennsylvania 18704, consisting of the construction of one hundred fifty-four (154) affordable housing units and approximately 7,000 square feet of commercial/retail space located at 685-715 Dr. Martin Luther King, Jr. Boulevard and identified on the City tax map as Block 2559, Lot 7 (Central Ward) (the "Project"); and

**WHEREAS**, the City and Montgomery Two Housing Urban Renewal, LLC, subsequently executed a Financial Agreement governing the Project on June 15, 2015 (the "Original Financial Agreement"); and

**WHEREAS**, The New Jersey Housing and Mortgage Finance Agency ("NJHMFA") has requested certain changes to the Financial Agreement including correction in the term of years, inclusion of the date, and a change in the definition of "Minimum Annual Service Charge"; and

**WHEREAS**, these revisions to the Financial Agreement will allow Montgomery Two Housing Urban Renewal, LLC, to close it's financing with NJHMFA.

**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 Deputy Mayor/Director of the Department of Economic and Housing Development is/are hereby authorized to execute, on the City's behalf, the Amended and Restated Financial Agreement in the form attached hereto, for property commonly known as 685-715 Dr. Martin Luther King, Jr. Boulevard, for the construction of one hundred fifty-four (154) affordable housing units and approximately 7,000 square feet of commercial/retail spaces, by the owner Montgomery Two Housing Urban Renewal, LLC.

2. An executed copy of the Amended and Restated Financial Agreement authorized by this ordinance shall be filed and maintained with the City Clerk.

3. The Entity shall in the operation of the Project comply with all laws so that no person shall be subject to any discrimination because of race, religious principles, color, national origin, or ancestry.

4. The Entity shall file an employment report (herein described below) with the Office of Affirmative Action who shall forthwith after receiving the report send a copy thereof to the City Clerk and the Office of Affirmative Action shall forthwith investigate the matters contained therein and report its findings to the Municipal Council.

5. The adoption of this ordinance is expressly conditioned upon the requirement that Montgomery Two Housing Urban Renewal, LLC pay the City all outstanding taxes and/service charges, and water/sewer charges within thirty (30) days of the date of the adoption of this ordinance. If Montgomery Two Housing Urban Renewal, LLC fails to timely satisfy these requirements, this ordinance and the approval granted herein shall be repealed.

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

### **STATEMENT**

This Ordinance amends and restates the Financial Agreement for Montgomery Two Housing Urban Renewal, LLC., c/o Pennrose Properties, 230 Wyoming Avenue, Kingston, Pennsylvania 18704, consisting of the construction of one hundred fifty-four (154) affordable housing units and approximately 7,000 square feet of commercial/retail space located at 685-715 Dr. Martin Luther King, Jr. Boulevard and identified on the City tax map as Block 2559, Lot 7 (Central Ward).