



## Legislation Details (With Text)

<b>File #:</b>	13-0214	<b>Version:</b>	1	<b>Name:</b>	Church of Jesus Christ of Latter-Day Saints
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Filed
<b>File created:</b>	1/31/2013	<b>In control:</b>		<b>In control:</b>	Economic and Housing Development
<b>On agenda:</b>	5/1/2013	<b>Final action:</b>		<b>Final action:</b>	6/11/2013
<b>Title:</b>	AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF CITY OWNED PROPERTY LOCATED AT 17 BURNET STREET, NEWARK, NEW JERSEY 07102, KNOWN AS BLOCK 43, LOT 18, to the adjacent property owner, The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, for the fair market value of Four Thousand Five Hundred Dollars (\$4,500.00), PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:12-13(b) (5). (CENTRAL WARD) No Action Taken 6F-b. 051513 Deferred 6PSF-d 060613				

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/11/2013	1	Municipal Council	Close on Public Hearing and Adopt	Pass
6/6/2013	1	Municipal Council	Close on Public Hearing and Defer	Pass
5/22/2013	1	Municipal Council	Adopt on First Reading	Pass
5/15/2013	1	Municipal Council	no action taken	
5/1/2013	1	Municipal Council	Advance to First Reading	Pass

**AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF CITY OWNED PROPERTY LOCATED AT 17 BURNET STREET, NEWARK, NEW JERSEY 07102, KNOWN AS BLOCK 43, LOT 18, TO THE ADJACENT PROPERTY OWNER, THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, FOR THE FAIR MARKET VALUE OF FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00), PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:12-13(b) (5). (CENTRAL WARD)**

**No Action Taken 6F-b. 051513**

**Deferred 6PSF-d 060613**

**WHEREAS**, the City of Newark owns the property located at 17 Burnet Street, Block 43, Lot 18 (the "Property"); and

**WHEREAS**, the Property is undersized and cannot be developed without the approval of variances; and

**WHEREAS**, the City of Newark has determined that the above referenced property is City owned and not needed for municipal purposes; and

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides that a parcel such as the property may be sold by private sale to an adjacent property owner pursuant to an ordinance and without conducting a public auction, provided that (i) the property is undersized; (ii) there are no capital improvements on

the property; (iii) the sale of the property is made at the fair market value; and (iv) the purchaser is an adjacent property owner, and subject to the satisfaction of certain conditions and/or requirements, if any; and

**WHEREAS**, the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, is the only adjacent property owner to the City property and the statute (N.J.S.A. 40A:12-13(b)(5) allows this sale at the fair market value without the need for a public auction; and

**WHEREAS**, pursuant to the abovementioned statutory authority, the Department of Economic and Housing Development has determined to convey and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints is willing to purchase the property at the fair market value of Four Thousand Five Hundred Dollars (\$4,500.00).

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

SECTION 1. The Property is owned by the City and is not needed for a public purpose by the City.

SECTION 2. The Property shall be sold to the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints by private sale for the fair market value of Four Thousand Five Hundred Dollars (\$4,500.00) pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5).

SECTION 3. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to execute and deliver, on behalf of the City, a Bargain and Sale Deed for 17 Burnet Street, Block 43, Lot 18, in the amount of Four Thousand Five Hundred Dollars (\$4,500.00), same to be approved as to form and legality by the Corporation Counsel and attested to by the City Clerk. The Deputy Mayor/Director of the Department of Economic and Housing Development shall receive the consideration in the amount of \$4,500.00 and shall place it in the appropriate account with the City of Newark.

SECTION 4. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed Deed on file in the Office of the City Clerk.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to the laws of the State of New Jersey.

## **STATEMENT**

**Ordinance authorizing the private sale of City-owned property located at 17 Burnet Street, Newark, New Jersey 07102, known as Block 43, Lot 18 to the adjacent property owner, the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, for the fair market value of Four Thousand Five Hundred Dollars (\$4,500.00), pursuant to the provisions of N.J.S.A. 40A:12-13(b) (5). (Central Ward).**