City of Newark

City Hall
920 Mayor Kenneth A.
Gibson Boulevard
Newark, New Jersey 07102

Legislation Details (With Text)

File #:	12-1324	**Version:** 1	**Name:**	321-325 So. 9th Street (Car Wash)	
Type:	Resolution		**Status:**	Filed	
File created:	6/6/2012		**In control:**	Economic and Housing Development	
On agenda:	12/18/2013		**Final action:**	12/18/2013	

Title: Dept/ Agency: Economic & Housing Development
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Private Sale/Redevelopment
Purpose: Rehabilitation of property as an expansion to Redeveloper's existing car wash and service station
Entity Name: Mango Realty, LLC
Entity Address: c/o La Roca, 4420 Bergenline Avenue, Union City, New Jersey 07087
Sale Amount: $75,000.00
Cost Basis: ( ) $ PSF (X) Negotiated ( ) N/A ( ) Other:
Assessed Amount: $
Appraised Amount: $
Contract Period: Redevelopment completed within twelve (12) months of the transfer of title to the property.
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ
(X) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
List of Property:
(Address/Block/Lot/Ward)
321-325 South 9th Street/Block 1782/Lot 32/West Ward
Additional Information:

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/18/2013	1	Municipal Council	Adopt	Pass

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(Address/Block/Lot/Ward)
321-325 South 9th Street/Block 1782/Lot 32/West Ward
Additional Information:

WHEREAS, the City, in connection with its efforts to redevelop the entire City, by Resolution 7RM, adopted on May 4, 2005, directed the Central Planning Board of the City (the "Central Planning Board") to undertake an investigation to determine if the City satisfied the statutory criteria as an "area in need of rehabilitation" in accordance with the provisions of N.J.S.A. 40A:12A-14 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Act"); and

WHEREAS, the Central Planning Board conducted the requested investigation in accordance with the Act, including a public hearing on June 6, 2005, after which hearing the Central Planning Board recommended the designation of the entire City as an "area in need of rehabilitation" to the City Administration and Municipal Council; and

WHEREAS, on June 15, 2005 the Municipal Council adopted Resolution 7RD0 (A.S.), based upon the recommendation of the Central Planning Board, designating the entire City as an "area in need of rehabilitation" (as defined by the Act) and the designation became effective on June 17, 2005 upon the transmission of the resolution to the New Jersey Department of Community Affairs by the City Clerk; and

WHEREAS, the City is the sole owner of a parcel of real property commonly known as 321-325 South 9th Street and identified on the tax maps of the City of Newark as Block 1782, Lot 32 (the "Property"); and

WHEREAS, the City has determined that the redevelopment of the Property will contribute to the rehabilitation of the City in accordance with the legislative intent, goals and objectives of the LRHL; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(f), the City is authorized to arrange or contract with redevelopers for the planning, replanning, construction or undertaking of any redevelopment project; and

WHEREAS, Mango Realty, LLC, a New Jersey limited liability company having its principal place of business located at c/o La Roca, 4420 Bergenline Avenue, Union City, New Jersey 07087 (the "Redeveloper") has expressed an interest in rehabilitating the Property by constructing an expansion of to the existing car wash and service station on an adjacent parcel owned by the Redeveloper onto the Property (the "Project"); and

WHEREAS, the City has determined that the Redeveloper has the professional experience and financial capabilities to carry out the Project; and

WHEREAS, the City believes the Project to be in the vital and best interests of the City and of the West Ward, and that it promotes the health, safety, morals and welfare of the City's residents; and

WHEREAS, the City and the Redeveloper have engaged in negotiations and the City has determined that in furtherance of the City's objectives, it is in the public interest for the City to

designate Mango Realty, LLC as the redeveloper for the Property under the LRHL and to enter into an Agreement with the Redeveloper setting forth in greater detail the respective undertakings, rights and obligations of the Parties in connection with the Project.

NOW, THEREFORE, BE IT 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 are hereby authorized to designate Mango Realty, LLC, c/o La Roca, 4420 Bergenline Avenue, Union City, New Jersey 07087, as the redeveloper of the property located at 321-325 South 9th Street and identified on the tax maps of the City of Newark as Block 1782, Lot 32 (the "Property") and enter into a Redevelopment Agreement with Mango Realty, LLC for the private sale and redevelopment of the Property, in the form attached hereto.

2. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement annexed hereto and may enter into subordination agreements, access and right of entry agreements, and other relevant documents, subject to the approval as to form and legality by the City's Corporation Counsel. In addition, the Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two six month extensions of the term of the contract and any contract timelines and milestones, provided that any contract timelines and milestones are not extended beyond the two permitted six month extensions.

3. The Property shall be sold to the Redeveloper by private sale for the consideration of Seventy-Five Thousand Dollars and 00/100 Dollars ($75,000.00), to undertake the rehabilitation of same as an expansion to the Redeveloper's existing car wash and service station in accordance with the Redevelopment Agreement annexed hereto.

4. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to execute a Bargain and Sale deed to the Redeveloper for the transfer of the property as provided in the Redevelopment Agreement annexed hereto including a limited right of reverter and those covenants and restrictions required under the Redevelopment Agreement and N.J.S.A. 40A:12A-9. Said deed conveying title to the Redevelopers shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

5. The Director of Finance is hereby authorized to receive proceeds of sale and to deposit same as follows: ninety (90) percent of the sales proceeds shall be deposited into the Community and Economic Development Dedicated Trust Fund established under City Resolution No. 7RG 110685; and ten (10) percent of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6PhS&FF 062106 for the purpose of preserving or creating low or moderate income affordable housing.

6. A copy of the executed Redevelopment Agreement and Bargain and Sale deed shall be placed on file in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

7. The redevelopment of the Property must be completed within twelve (12) months of the

transfer of title to the Property. Construction must adhere to all milestones and timelines in a Construction Schedule to be approved by the Department of Economic and Housing Development. The properties must conform to the City of Newark Design Guidelines, including standards for environmental sustainability, energy efficiency, and historical preservation, as established by the Department of Economic and Housing Development.

STATEMENT

Resolution authorizing the City of Newark to designate Mango Realty, LLC, c/o La Roca, 4420 Bergenline Avenue, Union City, New Jersey 07087, as the redeveloper of the property located at 321-325 South 9th Street and identified on the tax maps of the City of Newark as Block 1782, Lot 32 (the "Property") and execute a contract with Mango Realty, LLC for the private sale and redevelopment of the Property for the purpose of its rehabilitation as an expansion of the redeveloper's existing car wash and service station for the sum of $75,000.00. (West Ward)

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