



Legislation Details (With Text)

File #: 17-1794 **Version:** 1 **Name:** Resolution: Newark Waterfront Associates, LLC
Type: Resolution **Status:** Adopted
File created: 10/10/2017 **In control:** Economic and Housing Development
On agenda: 10/24/2017 **Final action:** 10/24/2017

Title: Dept/ Agency: Economic & Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Private Sale/Redevelopment
Purpose: Redevelopment project for residential, retail, and offices uses
Entity Name: Newark Waterfront Associates, LLC.
Entity Address: 120 Albany Street, New Brunswick, New Jersey 08901
Sale Amount: \$1,250,000.00
Cost Basis: () \$ PSF () Negotiated () N/A () Other:
Assessed Amount: \$
Appraised Amount: \$
Contract Period: N/A
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)
10-18 Passaic Place/Block 1/Lots 30
930 McCarter Highway/Block 1/Lots 46
Additional Information:

Sponsors: Augusto Amador, John Sharpe James

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------|--------|--------|
| 10/24/2017 | 1 | Municipal Council | Adopt | Pass |

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Additional Information:

WHEREAS, on June 15, 2005, the Municipal Council of the City of Newark designated the entire City of Newark as an area in need of rehabilitation in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (“LRHL”); and

WHEREAS, on August 7, 2013, the Municipal Council of the City of Newark (the “City”) adopted Ordinance 6PSF-I approving the Newark’s River: Public Access and Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, on June 26, 2016, the City and Boraie Development, LLC (also known as Newark Waterfront Associates, LLC or “Redeveloper”) entered into a Settlement Agreement, where the City agreed to designate the Redeveloper, the designated redeveloper for real property commonly known as 10-18 Passaic Place and 930 McCarter Highway and identified on the Tax Maps of the City of Newark as Block 1, Lots 30 and 46 (the Property), as a result of litigation filed related to the Newark Downtown Core Redevelopment Plan where Boraie agreed to the release of its redevelopment rights within Mulberry Commons Park (formerly known as “Triangle Park”), which is within the Newark Downtown Core Redevelopment Plan; and

WHEREAS, conditioned on a transfer of the Property from the Newark Housing Authority (the “Authority”) to the City, the City shall sell the Property to the Redeveloper and transfer the fund from the sale to the Authority; and

WHEREAS, the Redeveloper wants to purchase the Property for the purpose of constructing a proposed mixed use project consisting of market rate residential units and retail/commercial uses with on-site parking thereon as described more fully within this Agreement and for facilitating the construction of a walkway that will provide public access to the Passaic Riverfront; and

WHEREAS, the City is willing to sell the Property to the Redeveloper for the Purchase Price (as herein defined), subject to the terms and conditions set forth within this Agreement, and is also willing to make certain statutorily authorized tax exemptions or incentives available to Redeveloper in connection with the Project (as such term is defined herein); and

WHEREAS, the City has determined that the Redeveloper possesses the proper qualifications, financial resources and capacity to implement and complete the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the City believes the Project to be in the vital and best interests of the City, and that it promotes the health, safety, morals and welfare of the City’s residents.

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

1. The Redevelopment Agreement in the form attached hereto, is hereby approved.
2. The Mayor and/or the Deputy Mayor/Acting Director of the Department of Economic

and Housing Development of the City are hereby authorized to enter into and execute the Redevelopment Agreement.

3. The Deputy Mayor/Acting Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement and may enter into any related documents which may be necessary in order to effectuate the Redevelopment Agreement.
4. The executed Redevelopment Agreement shall be placed on file in the Office of the City Clerk by the Department of Economic and Housing Development.
5. Conditioned upon the sale of the Property from the Newark Housing Authority, the City shall sell the Property to the Redeveloper for the amount set forth in the Redevelopment Agreement.
6. This resolution shall take effect immediately.

STATEMENT

Resolution approving the Redevelopment Agreement between the City of Newark and Newark Waterfront Associates, LLC, and authorizing the Mayor and/or the Deputy Mayor/Acting Director of the Department of Economic and Housing Development of the City to enter into and execute the Redevelopment Agreement.