



## Legislation Details (With Text)

<b>File #:</b>	18-0322	<b>Version:</b>	1	<b>Name:</b>	Ascension Capital Partners I, LLC
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Adopted:</b>	Adopted
<b>File created:</b>	3/5/2018	<b>In control:</b>		<b>Economic and Housing Development:</b>	Economic and Housing Development
<b>On agenda:</b>	10/24/2018	<b>Final action:</b>		<b>10/24/2018:</b>	10/24/2018
<b>Title:</b>	<p>Dept/ Agency: Economic and Housing Development Action: ( ) Ratifying (X) Authorizing ( ) Amending Type of Service: Private Sale/Redevelopment Purpose: Redevelop the properties as affordable rental or for-sale housing Entity Name: Ascension Capital Partners I, LLC Entity Address: 59 Lincoln Park, Newark, New Jersey 07102 Sale Amount: \$116,099.20 Cost Basis: (X) \$4.00 PSF ( ) Negotiated ( ) N/A ( ) Other: Assessed Amount: \$644,000.00 Appraised Amount: \$0.00 Contract Period: To commence within three (3) months and be completed within eighteen (18) months from the transfer of ownership by the City. Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS ( ) Fair &amp; Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ (X) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a List of Property: (Address/Block/Lot/Ward) 521 Springfield Avenue/Block 2614/Lot 5/South Ward 527 Springfield Avenue/Block 2614/Lot(s) 2,34/South Ward 529 Springfield Avenue/Block 2614/Lot 1/South Ward 457 18th Avenue/Block 2614/Lot 9/South Ward 459 18th Avenue/Block 2614/Lot 8/South Ward 461 18th Avenue/Block 2614/Lot 7/South Ward 9-11 Brenner Street/Block 2614/Lot(s) 30,31/South Ward 15 Brenner Street/Block 2614/Lot 28/South Ward 606 S 10th Street/Block 2614/Lot 33/South Ward 608 S 10th Street/Block 2614/Lot 32/South Ward Additional Information: Total Square Footage = 29,024.8X \$4.00 = \$116,099.20 Sale at prices set forth by Ordinance 6S&amp;Fh adopted on April 7, 2004, establishing the minimum sale price of City-owned properties.</p>				
<b>Sponsors:</b>	Council of the Whole				
<b>Indexes:</b>					
<b>Code sections:</b>					

Date	Ver.	Action By	Action	Result
10/24/2018	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Economic and Housing Development  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Private Sale/Redevelopment  
**Purpose:** Redevelop the properties as affordable rental or for-sale housing  
**Entity Name:** Ascension Capital Partners I, LLC  
**Entity Address:** 59 Lincoln Park, Newark, New Jersey 07102

**Sale Amount:** \$116,099.20

**Cost Basis:** (X) \$4.00 PSF ( ) Negotiated ( ) N/A ( ) Other:

**Assessed Amount:** \$644,000.00

**Appraised Amount:** \$0.00

**Contract Period:** To commence within three (3) months and be completed within eighteen (18) months from the transfer of ownership by the City.

**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)**

521 Springfield Avenue/Block 2614/Lot 5/South Ward

527 Springfield Avenue/Block 2614/Lot(s) 2,34/South Ward

529 Springfield Avenue/Block 2614/Lot 1/South Ward

457 18<sup>th</sup> Avenue/Block 2614/Lot 9/South Ward

459 18<sup>th</sup> Avenue/Block 2614/Lot 8/South Ward

461 18<sup>th</sup> Avenue/Block 2614/Lot 7/South Ward

9-11 Brenner Street/Block 2614/Lot(s) 30,31/South Ward

15 Brenner Street/Block 2614/Lot 28/South Ward

606 S 10<sup>th</sup> Street/Block 2614/Lot 33/South Ward

608 S 10<sup>th</sup> Street/Block 2614/Lot 32/South Ward

**Additional Information:**

Total Square Footage = 29,024.8X \$4.00 = \$116,099.20

Sale at prices set forth by Ordinance 6S&Fh adopted on April 7, 2004, establishing the minimum sale price of City-owned properties.

**WHEREAS**, the purpose of this resolution is to approve the sale and redevelopment of the following City-owned Properties located in the South Ward of the City of Newark:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
521 Springfield Avenue	South	2614	5	36.5X100	3,650.0
527 Springfield Avenue	South	2614	2,34	25.3X100	2,530.0
529 Springfield Avenue	South	2614	1	24.9X92	2,290.8
457 18 <sup>th</sup> Avenue	South	2614	9	25X120	3,000.0
459 18 <sup>th</sup> Avenue	South	2614	8	25X120	3,000.0
461 18 <sup>th</sup> Avenue	South	2614	7	25X120	3,000.0
9-11 Brenner Street	South	2614	30,31	50X106.3	5,315.0
15 Brenner Street	South	2614	28	16.8X105	1,764.0
606 S 10 <sup>th</sup> Street	South	2614	33	25X89.3	2,232.5
608 S 10 <sup>th</sup> Street	South	2614	32	25X89.7	2,242.5

Total Square Footage: 29,024.8

Total Purchase Price: \$116,099.20 (\$4.00 per sf.); and

**WHEREAS**, the City of Newark has determined that the above referenced City-owned Properties (the "Property") are no longer needed for public use; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(g), the City of Newark is proceeding with the

rehabilitation of the area and is conveying Properties at such prices and upon such terms as it deems reasonable and said conveyance is made in conjunction with the applicable Redevelopment Plan, as amended; and

**WHEREAS**, the Municipal Council previously adopted Resolution 7Rdo(AS) on June 15, 2005, designating the entire City as an “area in need of rehabilitation” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “LRHL”); and

**WHEREAS**, the Municipal Council thereafter adopted Ordinance 6S&Fd(S) on August 17, 2005, adopting the Third Amendment to the South Ward Redevelopment Plan governing the redevelopment of City-owned Properties located within the South Ward, which includes the above-referenced Properties; and

**WHEREAS**, the City received a letter of intent, attached as Exhibit A of the Redevelopment Agreement also known as proposal, for the purchase and redevelopment of the Properties from the owner of the attached properties, Ascension Capital Partners I, LLC, 59 Lincoln Park, Newark, New Jersey 07102 (the “Redeveloper”); and

**WHEREAS**, the Redeveloper has proposed to the City’s Department of Economic and Housing Development to redevelop the Properties as affordable rental or for-sale housing (the “Proposal”); and

**WHEREAS**, based upon the City’s review of the proposal and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity to acquire the Properties and to redevelop them in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the Agreement for the Sale and Redevelopment of Land, the form of which is attached hereto (the “Agreement”), and the South Ward Redevelopment Plan, as amended; and

**WHEREAS**, pursuant to the above-mentioned statutory authority, the Department of Economic and Housing Development has recommended that the City of Newark sell the Properties to Ascension Capital Partners I, LLC, whom is willing to purchase the Properties from the City, for the consideration of One Hundred Sixteen Thousand Ninety Nine Dollars and Twenty Cents (\$116,099.20), for the purpose of redeveloping said Properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the South Ward Redevelopment Plan, as amended.

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

1. The Mayor and/or his designee and the Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute the Agreement for the Sale and Redevelopment of Land attached hereto with Ascension Capital Partners I, LLC, 59 Lincoln Park, Newark, New Jersey 07102, for the private sale and redevelopment of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement and the South Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
521 Springfield Avenue	South	2614	5	36.5X100	3,650.0
527 Springfield Avenue	South	2614	2,34	25.3X100	2,530.0
529 Springfield Avenue	South	2614	1	24.9X92	2,290.8
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606 S 10 <sup>th</sup> Street	South	2614	33	25X89.3	2,232.5
608 S 10 <sup>th</sup> Street	South	2614	32	25X89.7	2,242.5

Total Square Footage: 29,024.8

Total Purchase Price: \$116,099.20 (\$4.00 per sf.)

2. Said Properties shall be sold to Ascension Capital Partners I, LLC, by private sale for the purpose of redeveloping the above mentioned Properties as affordable rental or for-sale housing.
3. The 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 access and right of entry agreements and any related documents which may be necessary in order to effectuate the sale of the Properties and the terms and conditions of the Agreement, all in forms subject to the approval of the City of Newark's Corporation Counsel.
4. The Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two (2) six (6) month extensions of any timeframe set forth in the Agreement, subject to full written disclosure of such extension(s) (in the form of a signed Memorandum to be submitted to the Office of the City Clerk prior to adoption) to the Municipal Council of the City of Newark by the Director of the Department of Economic and Housing Development and the approval of the City of Newark's Corporation Counsel.
5. The Redeveloper shall be designated as the exclusive redeveloper of the Properties and any other prior legislation authorizing or intended to authorize the sale and/or redevelopment and/or rehabilitation of the Properties are hereby rescinded.
6. The Redeveloper shall have thirty (30) days from the date this resolution is certified by the Office of the City Clerk to execute the attached Agreement for the Sale and Redevelopment of Land and return same to the Department of Economic and Housing Development. Should the Redeveloper fail to execute and return the attached Agreement within this thirty (30) day time period, the authorization provided by this resolution shall be null and void, unless the Director of the Department of Economic and Housing Development agrees in writing to extend this thirty (30) day time period.
7. The Director of Finance is hereby authorized to receive proceeds of the sale and to deposit same as follows: ninety percent (90%) of the sale proceeds shall be deposited into the

Community and Economic Development Dedicated Trust Fund established under Resolution 7Rg, November 6, 1985; and ten percent (10%) of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6S&FF, June 21, 2006, for the purpose of preserving low and moderate income affordable housing.

8. The Director of the Department of Economic and Housing Development shall place a copy of the executed Agreement for the Sale and Redevelopment of Land, the Quitclaim Deed, and all such other executed agreements authorized by this resolution on file in the Office of the City Clerk.
9. The Redeveloper shall be required to comply with the City of Newark's Minority Set-Aside Ordinance 6S&Fd, April 5, 1995; the City of Newark's Affirmative Action Plan 7Rbp, March 1, 1995; Federal Executive Order 11246, (as amended by Executive Orders 11375 and 12086) regarding the award of goods and services contracts; and the City of Newark Ordinance 6PSF -c June 17, 2015, Amending Title II, Administration, Chapter 4, General Administration, Section 20, Hiring of Newark Residents by Contractors or Other Persons Doing Business with the City of Newark and Section 21, Newark Residents' Employment Policy, by Adding Language to Address Immediate Short Term Training and Employment Opportunities and Repealing the Newark Employment Commission, a copy of which is attached to the Agreement as Exhibit C (the "First Source Ordinance"), all as may be applicable. In addition, the Redeveloper has agreed to ensure that thirty percent (30%) of all contractors, subcontractors and suppliers shall be Newark-based companies.
10. The redevelopment of the Properties shall commence within three (3) months and be completed within eighteen (18) months from the transfer of ownership of the Properties by the City to the Redeveloper.
11. The project to be implemented by the Redeveloper shall conform to the City of Newark Design Guidelines, including standards for environmental sustainability and energy efficiency, as established by the Department of Economic and Housing Development. Additionally, the Redeveloper shall conduct any environmental investigation and remediation upon the Properties as may be necessary. Should the Redeveloper fail to diligently pursue the rehabilitation of the Properties, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Properties back to the City, in accordance with the terms and conditions of the Agreement and the deed.
12. The Director of the Department of Economic and Housing Development is hereby authorized to execute a Quitclaim Deed to the Redeveloper for the Properties. Said Quitclaim Deed conveying title to the Properties to the Redeveloper shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

## **STATEMENT**

This Resolution authorizes the Mayor and/or his designee and the Director of the Department of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land of Ascension Capital Partners I, LLC, 59 Lincoln Park, Newark, New Jersey 07102, for the private sale and redevelopment of the following Properties, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement for the Sale and Redevelopment of Land and the South Ward

Redevelopment Plan, as amended to redevelop the Properties as affordable rental or for-sale housing:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
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