



Legislation Details (With Text)

File #: 22-1287 **Version:** 1 **Name:** Resolution: Invest Newark Land Bank Transfer

Type: Resolution **Status:** Adopted

File created: 9/9/2022 **In control:** Economic and Housing Development

On agenda: 9/27/2022 **Final action:** 10/19/2022

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Land Bank
Purpose: To authorize Invest Newark, a New Jersey Non-profit Corporation, to acquire, maintain, and dispose of certain city-owned blighted, vacant and abandoned properties not needed for public use, pursuant to N.J.S.A. 40A:12A-74, et seq.
Entity Name: Invest Newark, a New Jersey Non-profit Corporation
Entity Address: 111 Mulberry Street, Newark, New Jersey 07102
Contract Amount: \$0.00
Funding Source: Not Applicable
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient (X) n/a
List of Property:
(Address/Block/Lot/Ward)
See attached "Schedule A".
Addition Information:
Ordinance 6PSF-g adopted on October 16, 2019, established the Land Bank for the City of Newark.
Ordinance 6PSF-a adopted on April 7, 2020, designated Invest Newark as the Land Bank Entity for the City of Newark and authorized the execution of the Land Bank Agreement with Invest Newark.
Deferred 7R2-f (s) 092722

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/19/2022	1	Municipal Council	Adopt	Pass
10/5/2022	1	Municipal Council	Defer	Pass
9/27/2022	1	Municipal Council	Defer	Pass

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() Private Sale () Grant () Sub-recipient (X) n/a

List of Property:

(Address/Block/Lot/Ward)

See attached "Schedule A".

Addition Information:

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WHEREAS, on July 11, 2019, Governor Phil Murphy signed the New Jersey Land Bank Law, P.L. 2019, c. 159, N.J.S.A. § 40A:12A-74, et seq., (the "Act") which authorizes municipalities to enter into a land banking agreement with a non-profit entity, which would serve as the municipality's land banking entity and authorize the land banking entity to hold property in trust on behalf of the municipality, so long as the property is not already being used for any public purpose; and

WHEREAS, the Act provides that a land banking agreement may authorize the land bank entity to maintain, rehabilitate, lease, or convey municipal property without having to comply with the provisions of the "Local Lands and Buildings Law" N.J.S.A. § 40A:12-1 et seq.; and

WHEREAS, the Act further provides that a municipality may convey municipally-owned property and assign municipally-owned liens to the land bank entity; and

WHEREAS, the Municipal Council adopted Ordinance 6PSF-g on October 16, 2019, establishing a Land Bank in the City of Newark (the "City") and directed the City to enter into a land bank agreement; and

WHEREAS, pursuant to Ordinance 6PSF-g adopted on October 19, 2019, the land banking agreement shall establish the responsibilities of the land bank entity and shall specify the terms and conditions under which the land bank entity may acquire property on behalf of the City of Newark, demolish and otherwise clear buildings and conduct other site improvements located on the property, maintain and secure the property, conduct other activities on the property, and, notwithstanding the provisions of the "Local Lands and Buildings Law," N.J.S.A. § 40A:12-1 et seq., lease or convey property held on behalf of the City of Newark; and

WHEREAS, the Municipal Council adopted Ordinance 6PSF-a on April 7, 2020, designating Invest Newark, a New Jersey Non-Profit Corporation, 111 Mulberry Street, Newark, New Jersey 07102 ("IN") as the Land Bank Entity for the City and authorized the City to enter into a Land Bank Agreement with IN; and

WHEREAS, the City of Newark and IN executed the Land Bank Agreement (the "Agreement") on or about May 13, 2020, and a copy of same is affixed hereto as Exhibit A; and

WHEREAS, pursuant to Section 5.01(a) of the Agreement, IN's initial acquisition of various City properties was subject to said properties not being sold from an auction conducted by the City; and

WHEREAS, the City completed its initial transfer of properties to IN after said properties were not sold at a public auction; and

WHEREAS, pursuant to Section 5.01(b) of the Agreement, the City can transfer additional properties to IN without said properties being subject to a public auction; and

WHEREAS, the City has determined that the City-owned properties identified in Schedule A and their continued presence and proliferation have a negative effect on the public health and welfare in the City; reduce property values and municipal revenues; impede economic development and revitalization of the City; and continue to have a blighting effect on their surroundings; and

WHEREAS, the City has determined that it is in the best interest of the City to allow IN, as the City's Land Bank entity, to acquire, maintain, convey, lease and otherwise dispose of the City-owned properties identified in Schedule A to ensure that the reuse of said properties provides the greatest long-term benefit to the physical, social and economic condition of the City; and

WHEREAS, the City has determined that it is in its best interests to transfer the properties identified in Schedule A to IN, as the City's Land Bank entity, to be held in Trust on behalf of the City; and

WHEREAS, pursuant to Ordinance 6PSF-g adopted on October 19, 2019, the transfer and sale of any City-owned property to the land bank entity shall be subject to Municipal Council approval and the Municipal Council desires to complete the transfer of the properties listed in Schedule A to IN.

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

1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to execute Quitclaim Deeds together with other required documents to complete the transfer of the properties, listed in Schedule A (the "Properties"), to Invest Newark, a New Jersey Non-profit Corporation, 111 Mulberry Street, Newark, New Jersey 07102, the Land Bank entity, authorized pursuant to Ordinance 6PSF-a adopted on April 7, 2020, to be held in Trust on behalf of the City. The Quitclaim Deeds shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the Acting City Clerk.
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 Land Bank Agreement, affixed hereto as Exhibit A, authorized pursuant to Ordinance 6PSF-a adopted on April 7, 2020, by the Municipal Council and may enter into any related documents, which may be necessary in order to effectuate the Land Bank Agreement.
3. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed Quitclaim Deeds and all such other documents executed for the purpose of the transfer of the Properties, authorized by this Resolution, together with this Resolution in the Office of the City Clerk.

STATEMENT

This Resolution authorizes the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to transfer the properties identified in Schedule A to Invest Newark, a New Jersey Non-Profit Corporation, 111 Mulberry Street, Newark, New Jersey 07102, as the City's Land Bank entity, to be held in Trust on behalf of the City.