



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 17-1708, Version: 1

**Dept/ Agency:** Economic and Housing Development

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Private Sale/Redevelopment

**Purpose:** Develop two (2)-and three (3)-family homes, affordable or market rate, rental or for-sale homes

**Entity Name:** Rising Plains, LLC.

**Entity Address:** 1515 Morris Place, Hillside, New Jersey 07205-1626

**Sale Amount:** \$108,770.40

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

**Assessed Amount:** \$481,300.00

**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)**

414 S. 16<sup>th</sup> Street/Block 319/Lot 18/West Ward

414 S. 16<sup>th</sup> Street (Rear)/Block 319/Lot 52/West Ward

317 14<sup>th</sup> Avenue/Block 320/Lot 30/West Ward

582 15<sup>th</sup> Avenue/Block 328/Lot 27/West Ward

465 S. 16<sup>th</sup> Street/Block 327/Lot 35/West Ward

467 S. 16<sup>th</sup> Street/Block 327/Lot 36/West Ward

475-477 S. 16<sup>th</sup> Street/Block 327/Lot 15/West Ward

479-481 S. 16<sup>th</sup> Street/Block 327/Lot 17/West Ward

470 S. 16<sup>th</sup> Street/Block 328/Lot 40/West Ward

478 S. 16<sup>th</sup> Street/Block 328/Lot 36/West Ward

**Additional Information:**

Total Square Footage = 27,192.6 X \$4.00 = \$108,770.40

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 West Ward of the City of Newark:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>	
414 S 16 <sup>th</sup> Street	West	319	18	25X95	2,375.0	414 S 16 <sup>th</sup> Street
(Rear) West 319	52	36X4	144.0			
317 14 <sup>th</sup> Avenue	West	320	30	37.6X100	3,760.0	
582 15 <sup>th</sup> Avenue	West	328	27	28X91.2	2,553.6	

465 S 16 <sup>th</sup> Street	West	327	35	16.8X100	1,680.0
467 S 16 <sup>th</sup> Street	West	327	36	16.8X100	1,680.0
475-477 S 16 <sup>th</sup> Street	West	327	15	50X100	5,000.0
479-481 S 16 <sup>th</sup> Street	West	327	17	50X100	5,000.0
470 S 16 <sup>th</sup> Street	West	328	40	25X100	2,500.0
478 S 16 <sup>th</sup> Street	West	328	36	25X100	2,500.0

Total Square Footage: 27,192.6

Total Purchase Price: \$108,770.40 (\$4.00 per sf.); and

**WHEREAS**, the City of Newark has determined that the above referenced City-owned Properties (the “Properties”) 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 redevelopment 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&Fc(S) on August 17, 2005, adopting the Second Amendment to the West Ward Redevelopment Plan governing the redevelopment of City-owned Properties located within the West Ward, which includes the above-referenced Properties; and

**WHEREAS**, the City received a letter from Rising Plains, LLC, 1515 Morris Place, Hillside, New Jersey 07205-1626 (the “Redeveloper”), expressing an interest in participating in the City’s place based initiative to revitalize the West Ward; and

**WHEREAS**, the Redeveloper has proposed to the City’s Department of Economic and Housing Development to purchase and redevelop the Properties by creating two (2) and three (3)-family homes, affordable and market rate, rental or for-sale homes (the “Proposal”); and

**WHEREAS**, redevelopment of said Properties will contribute to the social and economic improvement of the West Ward in accordance with the intent, goals and objectives of the City’s strategy to rehabilitate and reinvigorate neighborhoods with quality housing; additional stores, services and recreational facilities; and improved public spaces; and

**WHEREAS**, based upon the City’s review of the request 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 West 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 Rising Plains, LLC, whom is willing to purchase the Properties from the City, for the consideration of One Hundred Eight Thousand Seven Hundred Seventy Dollars and Forty Cents (\$108,770.40), 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 West 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 Acting 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 Rising Plains, LLC, 1515 Morris Place, Hillside, New Jersey 07205-1626, 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 West Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>	
414 S 16 <sup>th</sup> Street (Rear) West 319	West	319	18	25X95	2,375.0	414 S 16 <sup>th</sup> Street
317 14 <sup>th</sup> Avenue	West	320	30	37.6X100	3,760.0	
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Total Square Footage: 27,192.6

Total Purchase Price: \$108,770.40 (\$4.00 per sf.)

2. Said Properties shall be sold to Rising Plains, LLC, by private sale for the purpose of redeveloping the abovementioned Properties as two (2) and three (3)-family homes, affordable and market rate, rental or for-sale homes.
3. The 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 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 Property and the terms and conditions of the Agreement, all in forms subject to the approval of the City of Newark's Acting Corporation Counsel.

4. The Acting 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 Acting Director of the Department of Economic and Housing Development and the approval of the City of Newark's Acting 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 Acting 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 6PS&Ff, June 21, 2006, for the purpose of preserving low and moderate income affordable housing.
8. The Acting 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 (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 be commenced 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 redevelopment of the Properties, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Property back to the City, in accordance with the terms and conditions of the Agreement and the deed.
12. The Acting Director of the Department of Economic and Housing Development is hereby authorized to execute a Quitclaim Deed for the Properties to Rising Plains, LLC, 1515 Morris Place, Hillside, New Jersey 07205-1626 (the "Redeveloper") for a purchase price of \$108,770.40 (One Hundred Eight Thousand Seven Hundred Seventy Dollars and Forty Cents). Said Quitclaim Deed conveying title to the Properties to the Redeveloper shall be approved as to form and legality by the City's Acting Corporation Counsel and attested to and acknowledged by the City Clerk.

### **STATEMENT**

This Resolution authorizes the Mayor and/or his designee and the Acting Director of the Department of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land with Rising Plains, LLC, 1515 Morris Place, Hillside, New Jersey 07205-1626, 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 West Ward Redevelopment Plan, as amended to develop two (2) and three (3)-family homes, affordable and market rate, rental or for-sale homes:

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