



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-0637, Version: 1

**Dept/ Agency:** Economic and Housing Development  
**Action:** ( ) Ratifying (X) Authorizing (X) Amending  
**Type of Service:** Redevelopment Agreement  
**Purpose:** Third Amendment to Redevelopment Agreement  
**Entity Name:** Old Third Ward Redevelopment, LLC  
**Entity Address:** 3 East Stow Road, Marlton, New Jersey 08053  
**Contract Amount:** \$0.00  
**Development Agreement Term:** N/A  
**City Contribution to Development Project:** ( ) Grant or Loan ( ) Guarantee  
(X) None ( ) Other  
**Developer Investment:** \$3,712,000.00  
**Developer Third-Party Financing**  
**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)**  
134-148 Spruce Street/Block 2556/Lot 1.01/Central Ward  
135-145 Spruce Street/Block 2563/Lot 75/Central Ward  
**Additional Information:**

**WHEREAS**, on November 29, 2011, the Municipal Council of the City of Newark adopted Resolution 7R3-a(S) (a) designating Old Third Ward Redevelopment, LLC, 3 East Stow Road, Marlton, New Jersey 08053 (the "Redeveloper") as the redeveloper of the parcels of real property commonly known as the Douglas Harrison parcels and identified on the tax maps of the City of Newark as Block 2556, Lots 1, 61 and 62 and Block 2563, Lots 1, 75 and 76 (the "Property"); and (b) authorized the Mayor and the Interim Deputy Mayor/Director of the Department of Economic and Housing Development to enter into a redevelopment agreement setting forth the terms and conditions by which the Redeveloper will redevelop the Property and undertake the Project (the "Original Agreement"); and

**WHEREAS**, on April 23, 2013, the Municipal Council adopted Resolution 7R3-c(S) modifying the Original Agreement by modifying certain business terms and conditions and authorized the Mayor and the Interim Deputy Mayor/Director of the Department of Economic and Housing Development to enter into an Amended and Restated Redevelopment Agreement ("First Amended Agreement"); and

**WHEREAS**, on April 3, 2019, the Municipal Council adopted Resolution 7R2-a, thereby making certain modifications to the Original Agreement and First Amended Agreement concerning the project phasing and established timelines to reflect the progress thus far and diligent pursuit of governmental approvals and financing of the Redeveloper ("Second Amended Agreement"); and

**WHEREAS**, the City and the Redeveloper desire to modify the Redevelopment Agreement, as amended, to incorporate by reference the terms of the Reimbursement Agreement, in the form attached as **Exhibit A**, by which the Redeveloper will be obligated to refund any and all funds expended by the City in the course of the construction of Douglas Park ("Third Amended Agreement"); and

**WHEREAS**, the City believes the Project to be in the vital and best interests of the City and of the Central Ward, 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 Mayor and/or his designee, the Interim Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark are hereby authorized to enter into and execute the Third Amendment to the Redevelopment Agreement in the form attached hereto as **Exhibit A**.
2. The Interim Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Third Amendment to the Redevelopment Agreement and may enter into any related documents which may be necessary in order to effectuate the Third Amendment to the Redevelopment Agreement.
3. The fully executed Third Amendment to the Redevelopment Agreement shall be placed on file in the Office of the City Clerk by the Interim Deputy Mayor /Director of Department of Economic and Housing Development.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Interim Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into and execute a Third Amendment to the Redevelopment Agreement which incorporates a Reimbursement Agreement with Old Third Ward Redevelopment, LLC into the Redevelopment Agreement.