



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-1683, Version: 1

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

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

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

**Purpose:** To build ten (10) new two-family homes for first time homebuyers and affordable apartments for working families.

**Entity Name:** Urban Day Development Corp.

**Entity Address:** 235 Watchung Avenue, West Orange, New Jersey 07052

**Sale Amount:** \$187,560.00

**Cost Basis:** (X) \$6.00 PSF ( ) Negotiated ( ) N/A ( ) Other:

**Assessed Amount:** \$370,100.00

**Appraised Amount:** \$ 0.00

**Contract Period:** To commence within three (3) months and be completed within twenty-four (24) 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)**

37 S 7th Street/Block 1829/Lot 10/West Ward  
39 S 7th Street/Block 1829/Lot 11/West Ward  
53 S 7th Street/Block 1829/Lot 18/West Ward  
105 S 9th Street/Block 1827/Lot 14/West Ward  
144 S 9th Street/Block 1828/Lot 36/West Ward  
103 S 8th Street/Block 1828/Lot 28/West Ward  
107 S 8th Street/Block 1828/Lot 30/West Ward  
99-101 S 8th Street/Block 1828/Lot 26/West Ward  
39 S 9th Street/Block 1856/Lot 9/West Ward  
75-77 Norwood Avenue/Block 4066/Lot 55/West Ward

**Additional Information:**

Sale Price: Total Square Footage x PSF = 31,260 X \$6.00 = \$187,560.00

Sale at prices set forth by Ordinance 6S&Fh, adopted 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>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
37 S 7th Street	1829	10	25X100	2,500
39 S 7th Street	1829	11	37.6X100	3,760
53 S 7th Street	1829	18	25X100	2,500
105 S 9th Street	1827	14	25X100	2,500

144 S 9th Street	1828	36	25X100	2,500
103 S 8th Street	1828	28	25X100	2,500
107 S 8th Street	1828	30	25X100	2,500
99-101 S 8th Street	1828	26	50X100	5,000
39 S 9th Street	1856	9	25X100	2,500
75-77 Norwood Avenue	4066	55	50X100	5,000

Purchase Price: \$187,560.00 (\$6.00 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 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&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 of Intent, attached as Exhibit A of the Redevelopment Agreement (the “Proposal”), for the purchase and redevelopment of the Properties from Urban Day Development Corp., 235 Watchung Avenue, West Orange, New Jersey 07052 (the “Redeveloper”); and

**WHEREAS**, although in its Letter of Intent the Redeveloper proposed a sale price of \$4.00 per square foot, the parties negotiated and agreed upon \$6.00 per square foot; and

**WHEREAS**, the Redeveloper has proposed to the City’s Department of Economic and Housing Development to redevelop the Properties to build ten (10) new two family homes for first time homebuyers and affordable apartments for working families; 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 develop 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 Urban

Day Development Corp., which is willing to purchase the Properties from the City, for the consideration of One Hundred Eighty Seven Thousand Five Hundred Sixty Dollars and Zero Cents (\$187,560.00), 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, 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 Urban Day Development Corp., 235 Watchung Avenue, West Orange, New Jersey 07052, for the private sale and rehabilitation 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>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>
37 S 7th Street	1829	10	25X100	2,500
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53 S 7th Street	1829	18	25X100	2,500
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75-77 Norwood Avenue	4066	55	50X100	5,000

Purchase Price: \$187,560.00 (\$6.00 per sf.); and

2. Said Properties shall be sold to Urban Day Development Corp., by private sale for the purpose of redeveloping the above-mentioned Properties to build ten (10) new two-family homes for first time homebuyers and affordable apartments for working families.
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 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 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 is 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 6S&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 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. The Redeveloper shall provide the City Clerk with copies of documents showing compliance with same. 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 development of the Properties shall commence within three (3) months and be completed within twenty-four (24) 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 Property 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 to the Redeveloper for the Property. Said Quitclaim Deed conveying title to the Property 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, 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 Urban Day Development Corp., 235 Watchung Avenue, West Orange, New Jersey 07052, 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 rehabilitate the Property for owner-occupied housing:

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