

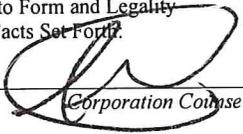
ORDINANCE OF THE CITY OF EAST ORANGE, NEW JERSEY

1st Reading: 4, 13, 2020
Public Hearing: 5, 11, 2020
Final Reading: 5, 11, 2020

Referred to Planning Board: / /
Received from Planning Board: / /

Approved as to Form and Legality
On Basis of Facts Set Forth:

Factual Contents Certified to By:


Corporation Counsel

Department Head

Appropriations:

Tabled: / /

Comptroller

Removed From Table: / /

Councilman/Councilwoman PULLINS

Presents the following Ordinance:

ORDINANCE NO. 14 OF 2020

AN ORDINANCE TO TRANSFER CITY OWNED LOTS TO JARIC DEVELOPMENT LLC IN THE TRANSIT VILLAGE REDEVELOPMENT AREA UNDER THE AUSPICES OF N.J.S.A. 40:12A-1 et. seq., KNOWN AS THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), authorizes municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in accordance with the procedures outlined in N.J.S.A. 40:12A-1 et. seq, ("Local Redevelopment & Housing Law"), one of the necessary steps for the redevelopment process to occur is the designation of one or more redevelopers for the Transit Village Redevelopment Area; and

WHEREAS, Jaric Development, LLC or an entity to be created therefrom, hereinafter, referred to as the "Entity" or "Developer", proposes to newly construct a 6 story (30) unit market rate mixed use residential over commercial building (hereinafter referred to as the "Project" within the City of East Orange (hereinafter referred to as the "City"); and

WHEREAS, the Jaric Development owns 440 Dr. MLK, Jr. Blvd. (370, Lot 2.01) and seeks to purchase 444 Dr. MLK, Jr., Blvd. (Block 370, Lot 2), property owned in fee by the City of East Orange; and

WHEREAS, JARIC DEVELOPMENT, LLC, or an entity to be created therefrom, has proposed to purchase the following property:

444 Dr. MLK, Jr., Blvd. (Block 370, Lot 2) for \$18,900 (20% x the assessed value of \$94,500)

which is a City owned property for a negotiated price to rehabilitate vacant and abandoned properties located in the Redevelopment area; and

WHEREAS, the aforementioned property is a distressed building for which the City of East Orange is not utilizing for a public purpose; and

WHEREAS, N.J.S.A. 40A: 12A-1 et seq. authorizes the City of East Orange to convey property without public bidding; and

WHEREAS, in accordance with the procedures outlined in N.J.S.A. 40:12A-1 et. seq, ("Local Redevelopment & Housing Law"), one of the necessary steps for the redevelopment process to occur is the designation of one or more redevelopers for the Redevelopment Area and this developer was duly designated by the governing body via Resolution I-365 of 2019 under the name of 440 MLK Drive, LLC.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of East Orange that:

SECTION ONE:

The Mayor and City Clerk are hereby authorized to execute a Contract of Sale, Escrow Agreement and Closing Documents for the aforesaid properties subject to the following conditions:

- A. The development of the site must be in accordance with the provisions of the Transit Village Redevelopment Plan.

- B. Preliminary Development activities must be completed within twelve (12) months of the adoption of the Ordinance and prior to closing of title (Environmental, site plan review etc.)
- C. The project shall be completed within the timetable established in the Redeveloper Agreement and the design approved by the Business Development and Zoning Committee.
- D. The submission of a development plan and construction schedule, complete with deadlines, and benchmarks subject to penalties for this development project with 45 days of the adoption of this Ordinance.
- E. Developer may not transfer or assign development rights to property without written consent.

SECTION TWO:

That the City Council hereby directs the Office of Corporation Council to prepare a Contract of Sale, Escrow Agreement, redevelopment agreement and Deed in accordance with the terms hereof.

SECTION THREE:

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

SECTION FOUR:

This ordinance shall take effect after final passage and upon expiration of twenty (20) days following publication unless otherwise provided by resolution of this City Council.

SECTION FIVE:

That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

FIRST READING

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ	X				
BRENT	X				
PULLINS	X				
GARRET- WARD	X				
LENEUS	X				

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN				X	
AWE	X				
LEWIS	X				
CLAYBROOKS	X				
JAMES	X				

RECORD OF COUNCIL VOTE ON SECOND READING & FINAL PASSAGE

Councilmember	AYE	NAY	NV	AB	VETO
GOMEZ					
BRENT					
PULLINS					
GARRETT- WARD					
LENEUS					

Councilmember	AYE	NAY	NV	AB	VETO
HOLMAN					
AWE					
LEWIS					
CLAYBROOKS					
JAMES					

X - Indicates Vote AB - Absent NV - Not Voting (Abstain/Excused)

ACTION ON VETO: ✓ to Sustain ✓✓ to Override

Passed on First Reading: _____ / _____ / _____

Adopted on Final Reading: _____ / _____ / _____

Presented to Mayor: _____ / _____ / _____

Approved: _____ / _____ / _____ Vetoed: _____ / _____ / _____

Reconsidered by Council: _____ / _____ / _____

Mayor

Council Chairman/Chairwoman

City Clerk