

**THE CITY OF
EAST ORANGE, NEW JERSEY
ORDINANCE NO. 29 OF 2020**

**AN ORDINANCE TO TRANSFER CITY OWNED LOTS TO MASJID AS HABUL
YAMEN UNDER THE AUSPICES OF N.J.S.A. 40A:12-21 et. seq.**

WHEREAS, N.J.S.A. 40A:12-21 authorizes the private sale of City property, not needed for municipal purposes, to certain organizations, provided that such property shall be used only for the purposes of rendering certain services as agreed upon; and

WHEREAS, N.J.S.A. 40A:12-21 further provides that if said property is not used in accordance with said limitation, title thereto shall revert to the municipality; and

WHEREAS, Masjid As Habul Yamén seeks to purchase 2 vacant lots: 74-76 Fourth Avenue (Bl. 140 Lot 2) and 66 Fourth Avenue (Bl. 140 Lot 5) property owned in fee by the City of East Orange for a negotiated price to construct a community center and Masjid; and

WHEREAS, the aforementioned property are vacant lots for which the City of East Orange is not utilizing for a public purpose; and

WHEREAS, Masjid As Habul Yamén is a non-profit organization which provides services to the residents of the City of East Orange; and

WHEREAS, The City of East Orange is in need of and desires recreational facilities that can be utilized by the residents, for cultural purposes, to safely congregate and for educational and social activities; and

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 Memorandum of Agreement.
- 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 Development 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 180 days of the adoption of this Ordinance.
- E. Developer may not transfer or assign development rights to said properties.

SECTION TWO:

That the City Council hereby directs the Office of Corporation Council to prepare a Contract of Sale, Escrow Agreement, Development 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.