

Ordinance of the City of Jersey City, N.J.

File No. Ord. 21-059
Agenda No. 3.6 (1st Reading)
Agenda No. 4.6 (2nd Reading and Final Passage)



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF A CONDOMINIUM UNIT LOCATED WITHIN PROPERTY COMMONLY IDENTIFIED ON THE TAX MAPS OF THE CITY AS BLOCK 15802, LOT 1.01, C8001 FROM 100 MONITOR COMMERCIAL UNIT LLC.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

Whereas, the City of Jersey City (the “City”) is a public body corporate and politic of the State of New Jersey; and

Whereas, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), the City established an area in need of redevelopment commonly known as the Morris Canal Redevelopment Area (the “**Redevelopment Area**”) and adopted a redevelopment plan for the area known as the Morris Canal Redevelopment Plan (as amended and supplemented from time to time, the “**Redevelopment Plan**”); and

Whereas, pursuant to the Redevelopment Law, the City established the Jersey City Redevelopment Agency (the “**JCRA**”) with the responsibility for implementing redevelopment plans and carrying out redevelopment projects in the City; and

Whereas, pursuant to the provisions of the Redevelopment Law and in accordance with the Redevelopment Plan, the JCRA has undertaken a program for the redevelopment of property identified on the tax maps of the City as Block 15802, Lot 1.01, commonly known as 100 Monitor Street, and Block 15802, Lot 2.01, commonly known as 72 Monitor Street, Jersey City, New Jersey (the “**Project Site**”); and

Whereas, the JCRA is party to that certain Amended and Restated Redevelopment Agreement (together with all amendments and assignments, the “**Redevelopment Agreement**”) with 100 Monitor Street LLC and Maple Street ROW LLC (collectively, the “**Redeveloper**”) with respect to the redevelopment project; and

Whereas, pursuant to the Redevelopment Agreement, Redeveloper is responsible for developing a ground floor commercial condominium unit at Block 15802, Lot 1.01, C8001, 100 Monitor Street, consisting of approximately 8,000 square feet, together with four (4) parking spaces (the “**Commercial Unit**”), conveying the Commercial Unit to the City, and making a payment to the City in the amount of \$105,000.00; and

Whereas, the City desires to take title to the Commercial Unit; and

Whereas, the City is authorized to acquire the Commercial Unit pursuant to *N.J.S.A. 40A:12A-39(b)* and *N.J.S.A. 40A:12-3*; and

Whereas, the City’s acceptance of the deed to the Commercial Unit requires approval by ordinance pursuant to *N.J.S.A. 40A:12-5*; and

Whereas, the City was a previous owner of a portion of the Project Site; and

Whereas, the City was grantor of a certain deeds dated May 6, 1968, recorded in the Hudson County Register’s Office on February 13, 1969 in Book 3052, Page 381 and Book 3052, Page 400; and January 14, 1969, recorded in the Hudson County Register’s Office on February 25, 1969 in Book 3052, Page 1095, and the City retained the right to pursue

APPROVED AS TO LEGAL FORM

Business Administrator

Corporation Counsel

An ordinance of the City Council of the City of Jersey City in the County of Hudson, State of New Jersey, authorizing the acceptance of a condominium unit located within property commonly identified on the Tax Maps of the City as Block 15802, Lot 1.01, C8001 from 100 Monitor Commercial Unit LLC.

certain remedies in a certain deed dated May 20, 1968, recorded in the Hudson County Register's Office on February 13, 1969 in Book 3052, Page 384 (collectively, the "**Deeds**"); and

Whereas, the Deeds conveyed portions of the Project Site, subject to a certain deed restriction, which prohibited the use of horizontal condominiums on the properties (the "**Deed Restriction**"); and

Whereas, the City is now desirous of releasing the Deed Restriction on the Project Site, and of authorizing the execution of a termination of deed restriction to terminate and vacate the Deed Restriction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The acceptance of the Commercial Unit is hereby approved. The Mayor, City Clerk, Corporation Counsel and all necessary and appropriate City officials and staff are hereby authorized to execute, deliver and/or accept any and all documents as are required to effectuate the transfer of the Commercial Unit and the purpose and intent of this Ordinance, all as may be deemed necessary and/or appropriate in consultation with Corporation Counsel.

Section 3. The Municipal Council hereby approves of the release and termination of the Deed Restriction upon the Project Site and hereby authorizes and directs the Mayor, City Clerk, Corporation Counsel and all necessary and appropriate City officials and staff to execute, witness and acknowledge a Termination of Deed Restriction (a form of which is attached hereto as (***Exhibit A***) for the Project Site.

Section 4. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section 5. The City Clerk and Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeal of existing provisions.

Section 6. A copy of this Ordinance shall be available for public inspection at the offices of the City Clerk.

Section 7. This Ordinance shall take effect at the time and in the manner as provided by law.

Section 8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

An ordinance of the City Council of the City of Jersey City in the County of Hudson, State of New Jersey, authorizing the acceptance of a condominium unit located within property commonly identified on the Tax Maps of the City as Block 15802, Lot 1.01, C8001 from 100 Monitor Commercial Unit LLC.

RECORD OF COUNCIL VOTE ON INTRODUCTION – Aug 18 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES	AYE	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Sep 9 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	


SPEAKERS:
Jeanne Daly

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		LAVARRO		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		ROBINSON		WATTERMAN, PRES.		


RECORD OF FINAL COUNCIL VOTE – Sep 9 2021						
RIDLEY	AYE	SALEH	AYE	LAVARRO	AYE	9-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	ROBINSON	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on Aug 18 2021
Adopted on second and final reading after hearing on Sep 9 2021


This is to certify that the foregoing Ordinance was adopted
by the Municipal Council at its meeting on Sep 9 2021



City Clerk



Joyce E. Watterman, President of Council
Approved: Sep 9 2021



Steven M. Fulop, Mayor
Date to Mayor: Sep 9 2021
Approved: Sep 10 2021

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

John Metro, Acting Business Administrator		2015475147	JMetro@jcnj.org
Division	Office of the Business Administrator		

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Purpose

Ordinance accepting transfer to the City of the “Commercial Unit” and authorizing release of a deed restriction prohibiting horizontal condominiums on the property. Also attached is the proposed release of deed restriction, to be included with the ordinance.
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Cost (Identify all sources and amounts)

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Contract term (include all)

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ATTACHMENTS:

JCRA - 100 Monitor - Termination of Deed Restriction
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Approved by
John Mercer, Assistant Business Administrator
Ray Reddington, Attorney
John Metro, Acting Business Administrator

Status:
Approved - Aug 06 2021
Approved - Aug 09 2021
Approved - Aug 11 2021

Prepared by:

Record and Return to:

RELEASE OF DEED RESTRICTION

THIS RELEASE OF DEED RESTRICTION (this “**Release**”) is made this ____ day of _____, 2021, by City of Jersey City, having an address at City Hall, 280 Grove Street, Jersey City, New Jersey 07302 (“**City**”) for the benefit of 100 Monitor Street LLC, a New Jersey limited liability company (“**100 Monitor**”), having an address 50 Washington Street, Hoboken, NJ 07030.

RECITALS

WHEREAS, City transferred certain parcels of land to A.W. Rosenbaum, pursuant to that certain Deed dated May 6, 1968, recorded on February 13, 1969, in the Office of the Hudson County Register of Deeds in Deed Book 3052, Page 381, as subsequently transferred to Arvey Corporation pursuant to that certain Deed dated May 20, 1968, recorded on February 13, 1969, in the Office of the Hudson County Register of Deeds in Deed Book 3052, Page 384; and

WHEREAS, City transferred certain parcels of land to A.W. Rosenbaum, pursuant to that certain Deed dated May 6, 1968, recorded on February 13, 1969, in the Office of the Hudson County Register of Deeds in Deed Book 3052, Page 400; and

WHEREAS, City transferred certain parcels of land to Transco Envelope Company, Division of Arvey Corporation, pursuant to that certain Deed dated January 14, 1969, recorded on February 25, 1969, in the Office of the Hudson County Register of Deeds in Deed Book 3052, Page 1095; and

WHEREAS, City has encumbered the lands with a use restriction in the aforesaid Deeds; and

WHEREAS, City desires to release the lands from the use restriction; and

WHEREAS, the aforesaid lands are now part of property designated on the Tax Map of the City of Jersey City as Block 15802, Lot 1.01, C0001 and C8001 more particularly described as Exhibit B; and

WHEREAS, 100 Monitor is the current owner of the lands by Deed from Jersey City Redevelopment Agency, dated December 29, 2016, recorded on January 4, 2017, in the Office of the Hudson County Register of Deeds in Deed Book 9169, Page 248,

NOW, THEREFORE, for ONE AND NO/100 DOLLAR (\$1.00), and other good and valuable consideration, City agrees as follows:

1. Recitals Incorporated. The Recitals of this Release above are hereby incorporated into and made a part of this Release.
2. Termination. City agrees that, from and after the date hereof, the use restrictions set forth in the Deeds attached hereto as Exhibit A, are of no further force and effect.
3. Successors and Assigns. This Release shall be binding upon City and its successors and assigns. This Release shall inure to the benefit of 100 Monitor and each of their respective successors and assigns, including, without limitation, each of their successors in title to the Property or any part thereof.

IN WITNESS WHEREOF, the undersigned has caused this Release to be duly executed by its duly authorized representative as of the day and year first above written.

ATTEST:

CITY OF JERSEY CITY,

Print Name:

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF NEW JERSEY)
) ss:
COUNTY OF HUDSON)

On the day of _____ in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) as _____ of CITY OF JERSEY CITY, and that by his/her/their signatures(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

EXHIBIT A

DEEDS

(attached hereto)

EXHIBIT B
LEGAL DESCRIPTION

(attached hereto)