

City Clerk File No. Ord. 13-078

Agenda No. 3.M 1st Reading

Agenda No. 4.K. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 13-078

TITLE:

**ORDINANCE AUTHORIZING THE EXECUTION OF A QUITCLAIM
DEED RELEASING PROPERTY KNOWN AS 87 NEWKIRK STREET ALSO
KNOWN AS BLOCK 12204, LOT 12 FROM AN EASEMENT HELD BY THE
CITY OF JERSEY CITY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (City) is the owner of property at 365 Summit Avenue also known as Block 12204, Lot 13 which is the Jersey City Municipal Court building; and

WHEREAS, the Jersey City Redevelopment Agency (JCRA) was the owner of 365 Summit Avenue before it was transferred to the City after 1999; and

WHEREAS, 87 Newkirk Street is a property that is adjacent to 365 Summit Avenue; and

WHEREAS, 362 Summit Associates, LLC was the owner of 87 Newkirk Street in 1999 and granted the JCRA an easement over its property to be used for emergency egress; and

WHEREAS, the easement agreement is dated July 30, 1999 and was recorded in Deed Book 5475 at page 178; and

WHEREAS, the easement area is shown on Exhibit A attached hereto; and

WHEREAS, the City became the easement holder when 365 Summit Avenue was transferred to the City; and

WHEREAS, 87 Newkirk MM, LLC is now the owner of 87 Newkirk Street and is seeking to have its property released from the easement; and

WHEREAS, on May 21, 2013, the JCRA designated 87 Newkirk MM, LLC as the developer of the property at 87 Newkirk Street; and

WHEREAS, the City does not need to use the easement because the City's property has adequate means of egress; and

WHEREAS, N.J.S.A. 40A:12-13(c) authorizes the private sale of an easement to a designated developer; and

WHEREAS, 87 Newkirk MM, LLC agrees to pay the City consideration for the sale of the easement pursuant to its redevelopment agreement with the JCRA.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey that:

1) the City finds and declares that it is in the best interests of the City to transfer its easement rights that affect the property at 87 Newkirk Street to 87 Newkirk MM, LLC subject to a redevelopment

agreement with the JCRA and for consideration set forth in the redevelopment agreement; and

2) the Mayor or Business Administrator is authorized to execute a Quitclaim Deed transferring the City's easement rights that affect 87 Newkirk Street, Jersey City to 87 Newkirk MM, LLC subject to the execution of a redevelopment agreement with the JCRA.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect in the manner as prescribed by law.
- D. The City Clerk and the Corporation Counsel be and they 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 repealers of existing provisions.

NOTE: All new material is underlined; words in {brackets} are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

RR:
5-23-13

APPROVED-AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:

Business Administrator

Certification Required ☐

Not Required ☐

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

ORDINANCE NO. Ord. 13-078

TITLE: 3.M. MAY 29 2013 4.K. JUN 19 2013



Ordinance authorizing the execution of a Quitclaim Deed releasing property known as 87 Newkirk Street also known as Block 12204, Lot 12 from an easement held by the City of Jersey City.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAY 29 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 19 2013 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>COLEMAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson				moved to amend* Ordinance, seconded by Councilperson				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE JUN 19 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAY 29 2013

Adopted on second and final reading after hearing on JUN 19 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 19 2013

Robert Byrne, City Clerk
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Peter M. Brennan
Peter M. Brennan, Council President

Date:

APPROVED:

Jerramiah T. Healy
Jerramiah T. Healy, Mayor

Date JUN 20 2013

Date

JUN 20 2013

Date to Mayor