

City Clerk File No. Ord. 14. 089

Agenda No. 3.E 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE *14.089*

TITLE:

**ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY
LOCATED AT 265 MARTIN LUTHER KING DRIVE TO THE URBAN LEAGUE OF
HUDSON COUNTY, A NON-PROFIT CORPORATION PURSUANT TO N.J.S.A.
40A:12-21(k)**

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

WHEREAS, the City of Jersey City (City) is the owner of certain property located at Block 23405, Lot 26, commonly known as 265 Martin Luther King Drive [Property], which property is not needed for any municipal purpose; and

WHEREAS, Urban League of Hudson County (ULOHC) is a nonprofit 501 (c)(3) organization dedicated to advocating, facilitating and promoting initiatives that allow community residents to participate in the development of urban neighborhoods; and

WHEREAS, ULOHC provides education, community outreach, information technology services for its clients at 253 Martin Luther King Drive; and

WHEREAS, ULOHC proposes to purchase 265 MLK Drive from the City for the purpose of constructing an Annex for additional offices and classroom space to expand existing its services for the sum of thirty-seven thousand five hundred dollars (\$37,500.00); and

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k) of the Local Lands and Buildings Law, the City may authorize the private sale of City Property, not needed for municipal purposes to any duly incorporated nonprofit organization or association, other than a political, partisan, sectarian, denominational or religious organization, which includes among its principal purposes the provision of educational, recreational, medical or social services to the general public, including residents of the municipality, for nominal consideration upon certain terms; and

WHEREAS, the ULOHC shall obtain the necessary construction approvals and commence work at the property within eighteen (18) months from the date of closing; and

WHEREAS, the deed conveying title must contain a condition subsequent which shall cause title to the property to revert to the City in the event that the property is used for any commercial business, trade or manufacture purposes or the Property is not used for the purposes of providing education, recreation, medical or social services to the general public for a period of thirty (30) years.

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

1. Pursuant to N.J.S.A. 40A:12-21(k), the conveyance of Block 23405, Lot 26, more commonly known as 265 Martin Luther King Drive, to Urban League of Hudson County, a duly incorporated non-profit corporation of the State of New Jersey, is hereby authorized; and
2. The Mayor or Business Administrator is authorized to execute a Deed, Contract of Sale and

any other documents as the Corporation Counsel deems appropriate or necessary to effectuate the conveyance of the property to Urban League of Hudson County; and

3. The Deed conveying title shall be in substantially the form attached, subject to such modifications as the Corporation Counsel deems appropriate and shall be subject to the following terms and conditions:

(a). Consideration: The Urban League of Hudson County shall pay the City the sum of \$37,500.00 for the purchase of the property. Closing shall occur within thirty (30) days from the adoption of the Ordinance by the Municipal Council authorizing the conveyance of the property.

(b). Conditions of Property: The Property shall be conveyed in its strictly "as is" condition. The City of Jersey City makes no promises as to ownership or title, but simple transfers whatever interest the City of Jersey has to Urban League of Hudson County, specifically, but not by way of limitation, subject to any public easements or rights of way.

(c). Conditions of Sale:

1) Urban League shall obtain the necessary construction approvals and commence work at the property within eighteen (18) months from the closing date. Urban League shall demonstrate compliance with the Uniform Construction Code and Property Maintenance Code by obtaining a certificate of occupancy from the City's Construction Official by no later than March 31, 2017.

2) Restriction Against Alienation: Urban League shall not sell, convey or otherwise transfer the above described property until Urban League has rehabilitated the property in compliance with the Uniform Construction Code and other conditions of sale contained in the deed.

3) The Municipal Council shall upon Urban League's completion of all the terms and conditions of sale adopt a resolution stating such fact and shall remove from the deed the Restriction against Alienation.

4) Use Restriction: The use of the property shall be restricted to providing education, recreation, medical or social services to the general public, including residents of the municipality and not for any commercial, business, trade or manufacturing purposes for a period of thirty (30) years. In the event of a violation thereof by Urban League, its heirs, successors or assigns, the Property shall revert to the City without any entry or reentry made thereon.

5) If Urban League (a) fails to obtain the permit approvals and commence construction within eighteen (18) months from the closing date, (b) sells or attempts to sell the property before making the required repairs, (c) refuses access to City Officials seeking to inspect the property, (d) fails to obtain a certificate of occupancy from the City's Construction Official by no later than March 31, 2017 or (e) the property is used for commercial business, trade or manufacture purposes, then title to the property shall automatically revert to and become vested in the City of Jersey City.

6) Upon demand, Grantee and any subsequent purchasers shall submit annual reports and any other requested records and documentation to Grantor to insure that the within terms and conditions have not been violated.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be 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.

C. This ordinance shall take effect at the time and in the manner as provided 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 material is new; therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

IW
7/11/14

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____

Business Administrator

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



ORDINANCE NO. Ord. 14.089
TITLE: J.E JUL 16 2014 4.E

AUG 20 2014

Ordinance authorizing the conveyance of city owned property located at 265 Martin Luther King Drive to the Urban League of Hudson County, a Non-Profit Corporation pursuant to N.J.S.A.40A:12-21 (k).

RECORD OF COUNCIL VOTE ON INTRODUCTION JUL 16 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING AUG 20 2014 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE AUG 20 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUL 16 2014**

Adopted on second and final reading after hearing on **AUG 20 2014**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **AUG 20 2014**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **AUG 20 2014**

APPROVED:

Steven M. Fulop, Mayor

Date **AUG 26 2014**

Date to Mayor **AUG 21 2014**