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**Township Council**  
1 Municipal Plaza  
Bloomfield, NJ 07003

**Louise M. Palagano**  
*Municipal Clerk*

<http://www.bloomfieldtnj.com>

Meeting: 04/20/20 07:00 PM

**2020 ORDINANCE AGREEMENTS**

**ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AUTHORIZING A CERTAIN EASEMENT AGREEMENT ON A PORTION OF BLOCK 335, LOTS 26, 30, 72-75 FOR THE SOUTH JUNIOR HIGH REDEVELOPMENT PROJECT BEING UNDERTAKEN BY URBAN SMART GROWTH, LLC**

**WHEREAS**, BLOOMFIELD SOUTH JUNIOR HIGH URBAN RENEWAL, LLC, a New Jersey limited liability company, having an address of 1746 North Cherokee Avenue, #1Z, Los Angeles, California (the **“Grantee”**) is the fee owner of certain real property located at Block 335, Lots 26, 30, 72-75 on the Tax Maps of the Township of Bloomfield and commonly known as 177 Franklin Street (the **“Property”**).

**WHEREAS**, THE TOWNSHIP OF BLOOMFIELD, a New Jersey municipality, having an address of 1 Municipal Plaza, Bloomfield, New Jersey 07003, (the **“Grantor”**) is the fee owner of certain property located at the northwesterly corner of the Property and situated between the Property and Newark Avenue and as more particularly described on Exhibit A attached hereto and made a part hereof (the **“Easement Area”**). Collectively, the Grantee and the Grantor shall be referred to as the **“Parties”**.

**WHEREAS**, by Resolution adopted March 7, 2006, the Planning Board of the Township of Bloomfield (the **“Board”**) granted the Application of Urban Smart Growth for Preliminary and Final Site Plan approval and for variances pursuant to N.J.S.A. 40:55D-70(c) for number of parking spaces, lot coverage, building coverage, open space and the proximity of driveways and parking areas to the former South Junior High School building, at property located at 177 Franklin Street, Block 335, Lots 26, 30 and 72-75 in the Township of Bloomfield; and

**WHEREAS**, on July 13, 2015, the Township Council of the Township of Bloomfield (the **“Township Council”**) by Resolution, designated the Property an area in need of redevelopment now known as the “South Junior High Redevelopment Area” in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A 1 et. seq. (the **“Redevelopment Law”**); and

**WHEREAS**, the redevelopment plan, known as the Redevelopment Plan for South Junior High School (the **“Redevelopment Plan”**) was prepared on behalf the Board and approved by the Board by resolution on September 13, 2016; and

**WHEREAS**, on November 21, 2016 the Township Council adopted Ordinance No. 16-41 adopting the Redevelopment Plan; and

**WHEREAS**, Urban Smart Growth, LLC (the **“Redeveloper”**) was designated by the Township as Redeveloper by Resolution No. 14-1 adopted September 25, 2017, and the Redeveloper is an Affiliate of the Grantee; and

**WHEREAS**, on January 24, 2019, the Township and the Redeveloper entered into a Redevelopment Agreement (the “**Redevelopment Agreement**”) in order to implement the development, design, financing and construction of the proposed project; and

**WHEREAS**, the Redevelopment Agreement provides for the rehabilitation and renovation of the existing building at the Property into a 122-unit residential community; and

**WHEREAS**, the Grantor has determined to grant the Grantee an easement over the Easement Area to construct and install parking spaces, curbing, iron fencing, storm inlets, landscaping and lighting, (collectively, the “Easement,” as more particularly described on the Concept Plan attached to the form Easement Agreement annexed hereto as Exhibit A) for the benefit of and to facilitate the Redevelopment Project, on the terms and conditions described in the Easement Agreement attached hereto as Exhibit A; and

**WHEREAS**, pursuant to the Redevelopment Law, the Township may convey property or improvements to any other party without public bidding and at such prices and upon such terms as it deems reasonable, provided such conveyance is made in conjunction with a redevelopment plan (N.J.S.A. 40A:12A-8.g.); and

**WHEREAS**, the Township is desirous of conveying the Easement to the Grantee in order to effectuate the Redevelopment Project by authorizing the Declaration of Easements.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX AND STATE OF NEW JERSEY AS FOLLOWS:**

Section 1. The forgoing recitals are incorporated herein as though specifically set forth herein below.

Section 2. The Township Council finds that it is in the best interest of the Township and the Redevelopment Area that the Easement be conveyed to the Grantee.

Section 3. The Township Council hereby authorizes the Mayor and/or his designee to execute and deliver the Easement Agreement in substantially the same form annexed hereto as Exhibit A with any modifications to be approved by the Township Attorney.

Section 4. The Mayor and/or his designee is hereby authorized to amend or execute any other agreements or documents necessary to effectuate the purpose of this Ordinance subject to consultation with and approval by the Township Attorney.

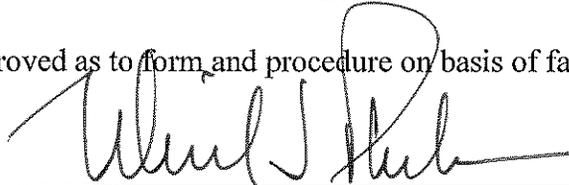
Section 5. The Township Clerk is directed to publish notice of this Ordinance in accordance with law.

Section 6. If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts hereof.

Section 7. This Ordinance shall take effect in accordance with law following final passage.

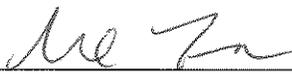
\* \* \* \* \*

Approved as to form and procedure on basis of facts set forth.

  
 \_\_\_\_\_  
 Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on May 18, 2020 .

  
 \_\_\_\_\_  
 Municipal Clerk of the Township of Bloomfield

  
 \_\_\_\_\_  
 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt						
<input type="checkbox"/> Deny						
<input type="checkbox"/> Withdrawn						
<input type="checkbox"/> Table	Jenny Mundell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed	Nicholas Joanow		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Sarah Cruz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Table with no Vote	Wartyna Davis		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approve	Ted Gamble		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor	Richard Rockwell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion	Michael J. Venezia		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						

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<input type="checkbox"/> Discussion	Richard Rockwell		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated						
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