Ordinance

Ordinance No. 52 OF THE Date..06-10-2015
CITY OF ATLANTIC CITY, N.J. Date to Mayor..06-25-2015.

Approved as to Form and Legality on Basis of Facts Set Forth Factual contents certified to by

REVISED 6-10-15

Assistant City Solicitor /s/ Benjamin Kaufman Business Administrator /s/ Arthur M. Liston

Prepared by the City Solicitor's Office

Council Member SMALL, MARSH & GILLIAM Presents the following Ordinance

ORDINANCE AUTHORIZING TRANSFER OF PROPERTY, EXECUTION OF PURCHASE AND SALE AGREEMENT, REDEVELOPMENT AGREEMENT AND ALL OTHER NECESSARY DOCUMENTS

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, *et seq.*, as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, the City Council of the City of Atlantic City (the "Council") declared, pursuant to Resolution 889 of 1994, the entirety of the City of Atlantic City as an Area in Need of Rehabilitation; and

WHEREAS, the Council has adopted, pursuant to Ordinance No. 07 of 2015, the "Redevelopment Plan for Block 305, Lot 19 at Atlantic Avenue" (the "Redevelopment Plan")"; and

WHEREAS, the City is the owner of Block 305, Lot 19 in the City of Atlantic City (the "Property") and desires that the Property be redeveloped in accordance with the Redevelopment Plan; and

WHEREAS, the City has agreed to negotiate a Purchase and Sale Agreement for the Property with ALPHA NJ I Limited Liability Company ("Redeveloper") for a purchase price of One Hundred Thousand Dollars ($100,000.00), with a use restriction that prohibits liquor stores and craft spirit manufacture and retail/wholesale sale of same (provided, however, that sales of liquor in connection with a restaurant use shall not be prohibited); and

WHEREAS, the Redevelopment Plan calls for, among other things, construction of new improvements on the Property; and

WHEREAS, the Redevelopment Law, *N.J.S.A.* 40A:12A-8(f), authorizes the City to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, pursuant to Resolution No. 116-15, the Council designated Redeveloper as redeveloper for the Property; and

WHEREAS, the City and the Redeveloper have engaged in such negotiations and the City Council has determined that it is in the best interests of the City to enter into a Purchase and Sale Agreement and Redevelopment Agreement with Redeveloper for the Property.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Atlantic City, State of New Jersey, as follows:

Section 1. The Mayor and City Clerk are hereby authorized to negotiate and execute a Purchase and Sale Agreement and all other necessary documents for the sale of the Property, between the City and ALPHA NJ I Limited Liability Company, for a purchase price of One Hundred Thousand Dollars ($100,000.00), with a use restriction that prohibits liquor stores and craft spirit manufacture and retail/wholesale sale of same (provided, however, that sales of liquor in connection with a restaurant use shall not be prohibited), upon review and approval of such documents by the City Administrator, City Auditor, City Solicitor and City Redevelopment Counsel.

Section 2. The Mayor and City Clerk are hereby authorized to negotiate and execute a Redevelopment Agreement for the Property, between the City and ALPHA NJ I Limited Liability Company, upon review and approval of such document by the City Administrator, City Auditor, City Solicitor and City Redevelopment Counsel.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. In the event any clause, section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of City Council that the balance of this Ordinance remain in full force and effect to the extent it allows the City to meet the goals of this Ordinance.

Section 5. This Ordinance shall take effect after final adoption and publication according to law.

Ew June 25, 2015 10:25 AM 11-E

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
DELGADO	X						MOORE	X					
MALIK				X			RANDOLPH	X					X
MANCUSO	X						SMALL	X					
MARSH	X				X		TIBBITT				X		
							GILLIAM, PRESIDENT	X					

X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on …JUNE 10, 2015……

Adopted on second and final reading after hearing on……JUNE 24, 2015……

Approved By…/s/……Date…6/30/15……Reconsidered By Council……Over Ride Aye ____ Nay ____

Mayor

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

…/s/……Rhonda Williams, .City Clerk