Ordinance

Ordinance No....78... OF THE Date..10-07-2015...
CITY OF ATLANTIC CITY, N.J. Date to Mayor.....

Approved as to Form and Legality on Basis of Facts Set Forth

Assistant City Solicitor /s/ Benjamin J. Kaufman

Factual contents certified to by

Business Administrator /s/ Arthur M. Liston

Prepared by the City Solicitor's Office

Council Member RANDOLPH & GILLIAM Presents the following Ordinance:

ORDINANCE AUTHORIZING EXECUTION OF A GROUND LEASE BETWEEN BADER FIELD SPORTS, LLC AND THE CITY OF ATLANTIC CITY FOR BLOCK 794, LOT 1

WHEREAS, N.J.S.A. 40A:12A-8 authorizes the governing body of any municipality to enter into agreements with redevelopers to carry out and effectuate the terms of a redevelopment plan; and

WHEREAS, the City of Atlantic City ("City") is the owner of certain property known as Bader Field, being the parcel of land located in the City of Atlantic City, County of Atlantic in the State of New Jersey designated as Block 794, Lot 1 (the "Project Site") on the tax maps of the City of Atlantic City, which is governed by a Redevelopment Plan for the Bader Field Redevelopment Area, dated May 7, 2008 (the "Redevelopment Plan"); and

WHEREAS, the City desires, pursuant to and in accordance with the Redevelopment Plan, to ground lease the Project Site, as more particularly shown of Exhibit "A" attached hereto and made a part hereof to Bader Field Sports, LLC, ("BFS") for temporary use as a multi-purpose recreation complex providing recreational amenities for the public, spectator opportunities for sporting events, and opportunities to host tournaments, special events and community activities and to build thereon a covered athletic facility; and

WHEREAS, the City and BFS have negotiated a ground lease, attached hereto as Exhibit B, memorializing the terms of their agreement (the "Ground Lease"); and

WHEREAS, the City and BFS desire to enter into the Ground Lease for the Project Site.

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 execute a Ground Lease for the Project Site with Bader Field Sports, LLC in substantially the same form as attached hereto upon its review and approval by the State Monitor and City Solicitor.

Section 2. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. 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 4. This Ordinance shall take effect after final adoption and publication according to law.

ADJOURNED 10-21-2015
ADJOURNED 11-24-2015

November 30, 2015 3:46 PM 17-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							MOORE						
MALIK							RANDOLPH						
MANCUSO							SMALL						
MARSH							TIBBITT						
							GILLIAM, PRESIDENT						

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 .....OCTOBER 07, 2015.....

Adopted on second and final reading after hearing on.....

Reconsidered Over

Approved By.../s/.....Date.....By Council.....Ride _____ _____

Mayor Aye Nay

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

/s/..... Rhonda Williams, City Clerk