

**ORDINANCE OF THE CITY OF GLOUCESTER**  
**County of Camden, State of New Jersey**  
**#O24- 2017**

**ORDINANCE OF THE CITY OF GLOUCESTER, COUNTY OF CAMDEN AND STATE  
OF NEW JERSEY ADOPTING A REDEVELOPMENT AGREEMENT BY AND  
BETWEEN THE CITY OF GLOUCESTER AND CYZNER PROPERTIES, INC.,  
OR ITS NOMINEE**

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Act"), set forth at N.J.S.A. 40A:12A-6(a), by virtue of Ordinance #2009-11, the City adopted a Redevelopment Plan identifying Block 256, Lots 1 and 1.01 ("Chatham Square" and "Gloucester Terrace") on the Official Tax Map of the City as a "Redevelopment Area," as that term is defined in the Act and adopting a Redevelopment Plan for the Redevelopment Area; and

**WHEREAS**, Block 256, Lot 1 is an existing approximate 100-unit apartment complex located at 54 Crescent Boulevard in the City of Gloucester which is owned by the City and known as Chatham Square ("Chatham Square Property" or "Chatham Square"); and

**WHEREAS**, Block 256, Lot 1.01, is located at 56 Crescent Boulevard in the City and is an existing approximate 34-unit apartment complex which is privately owned and known as Gloucester Terrace ("Gloucester Terrance Property" or "Gloucester Terrace"); and

**WHEREAS**, the Redeveloper has heretofore entered into: (i) an Agreement of Sale, dated May 4, 2017, as amended and supplemented to date, pursuant to which the Developer has agreed to purchase Gloucester Terrace from the owner thereof, contingent upon the acquisition of Chatham Square from the City; and (ii) an Exclusive Negotiation Agreement with the City, dated September 15, 2015, as amended and supplemented to date (the "Exclusive Negotiation Agreement"), pursuant to which the Developer has agreed to purchase Chatham Square from the City, contingent upon the acquisition of Gloucester Terrace from the owner thereof; and

**WHEREAS**, pursuant to the Exclusive Negotiation Agreement, the Redeveloper has proposed improvements to Chatham Square and Gloucester Terrace ("Project Area" or "Redevelopment Properties") for the purpose of rehabilitating, reconstructing, and constructing the Redevelopment Properties into a unique lifestyle redevelopment revitalization project; and

**WHEREAS**, the Exclusive Negotiation Agreement also contemplates that the Redeveloper will acquire the Chatham Square property from the City for the purchase price of One Million Five Hundred Thousand (\$1,500,000.00) Dollars upon appointment as the Redeveloper and the execution of this Redevelopment Agreement and contingent upon the acquisition of the Gloucester Terrace Property from the owner thereof; and

**WHEREAS**, as a material inducement for the parties to enter into this Agreement each of the Developer and the City have agreed to, among other things; (1) amend the Redevelopment Plan to permit the rehabilitation, reconstruction and construction of 134 market rate apartments at the Redevelopment Properties ("Redevelopment Project Plan"); (2) operate uses within the Redevelopment Area which are consistent with the Redevelopment Plan; (3) provide payments in lieu of taxes to the City in accordance with a Financial Agreement to be entered into between the City and an entity established by the Redeveloper as an "urban renewal entity" in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; (4) develop the Redevelopment Properties in accordance with the Redevelopment Project Plan to be approved by the City; and (5) make certain representations and warranties as set forth herein below; and

**WHEREAS**, the Act 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 redevelopment; and

**WHEREAS**, in accordance with the Act and this Ordinance, the City has designated Cyzner Properties, Inc., or its nominee, as the "Redeveloper" of the Redevelopment Area to undertake the Redevelopment Project Plan;

**WHEREAS**, the City and the Redeveloper have conferred and performed due diligence and have decided to enter into the within Redevelopment Agreement regarding the implementation of the Redevelopment Project Plan and the redevelopment of the Redevelopment Properties; and

**WHEREAS**, the City has determined that it is appropriate to sell the Chatham Square Property to the Redeveloper in furtherance of the Redevelopment Project Plan and to enter into this Redevelopment Agreement as provided for herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Common Council of the City of Gloucester, County of Camden, and State of New Jersey, that the Gloucester City Development Ordinance be amended as follows:

**SECTION 1:** The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof and shall have the same lawful effect as if set forth herein.

**SECTION 2:** In accordance with the Act and this Ordinance, the City has designated Cyzner Properties, Inc., or its nominee, as the "Redeveloper" of the Redevelopment Area to undertake the Redevelopment Project Plan and the Mayor, Clerk and/or appropriate designee is hereby authorized to execute the Redevelopment Agreement and/or all documents related to this transaction.

**SECTION 3:** The City has determined that it is appropriate to authorize the sale and transfer of the Chatham Square Property to the Redeveloper in furtherance of the Redevelopment Project Plan and to enter into this Redevelopment Agreement as provided for herein.

**SECTION 4:** If any subsection, paragraph subsection, clause or provision of this ordinance shall be judged by the Courts to be invalid, such adjudication shall apply only to that section, paragraph, subsection, clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

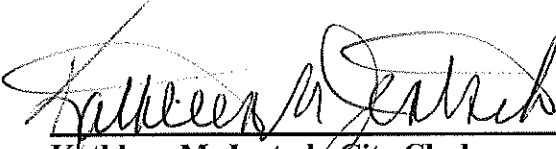
**SECTION 5:** This ordinance shall take effect upon final adoption, publication and filing of a copy of said Ordinance with the Camden County Planning Board, and any and all agencies mandated in accordance with the law.

**SECTIONS 6:** This Ordinance shall become effective immediately upon final passage and publication as required by law.

**City of Gloucester City**

  
By: William P. James, Mayor

**ATTEST:**

  
Kathleen M. Jentsch, City Clerk

I, Kathleen M. Jentsch, Clerk of the City of Gloucester City, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Council at their meeting of Aug 7, 2017, held in the Mem Bldg, Gloucester City, New Jersey.

512 Monmouth St

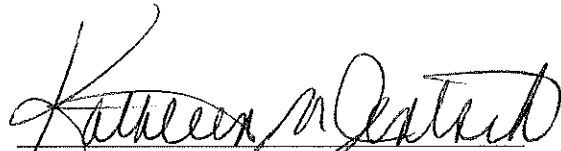
  
Kathleen M. Jentsch, City Clerk

**INTRODUCED:** July 20, 2017

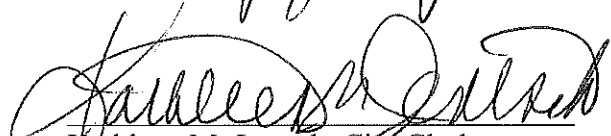
**ADOPTED:** Aug 7, 2017

## PUBLIC MEETING

**NOTICE** is hereby given that the foregoing ORDINANCE was introduced and passed at a meeting of the Common Council of the City of Gloucester City, County of Camden, New Jersey, held on the 20<sup>th</sup> day of July, 2017, and will be considered for final passage after a public hearing at a meeting of the Common Council of the City of Gloucester City to be held on the 7<sup>th</sup> day of August, 2017 at 5:00 pm in the evening prevailing time at 512 Monmouth Street, Gloucester City, New Jersey.

  
Kathleen M. Jentsch, City Clerk

I hereby certify that the foregoing ORDINANCE was approved for final adoption by the Mayor and Common Council of the City of Gloucester City, County of Camden, State of New Jersey at a regularly scheduled meeting held on the 7<sup>th</sup> day of Aug 2017

  
Kathleen M. Jentsch, City Clerk