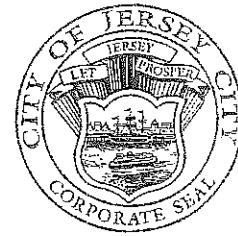


City Clerk File No. Ord. 18-072

Agenda No. 3.C 1st Reading

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



ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 18-072

TITLE:

**ORDINANCE ACCEPTING FROM THE JERSEY CITY HOUSING
AUTHORITY A DEDICATION OF A CERTAIN RIGHT OF WAY
WITHIN A PORTION OF LAFAYETTE GARDENS KNOWN AS
BARBARA PLACE**

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

WHEREAS, Jersey City Housing Authority ("JCHA"), a public body corporate and politic organized under the laws of the State of New Jersey, having its principal office at 400 U.S. Highway #1 (Marion Gardens), Jersey City, New Jersey 07306 is the owner of the land roadways, sidewalks, and utilities, including all appurtenant street hardware existing within Lafayette Gardens ("Gardens"), as particularly referred to as Block 2088.1, Lots 11, 13, and 15 on the current tax maps of the City of Jersey City, (collectively referred to as the "Property"); and

WHEREAS, in accordance with the Preliminary and Final Site Plan with "c" variances and deviations approval granted by the Jersey City Planning Board ("JCPB") on May 10, 2011 (the "Approval"), the JCHA was required to construct certain roadway improvements within said Gardens and more particularly within Barbara Place; and

WHEREAS, in conjunction with the JCHA, Glenview Townhouses II Urban Renewal Associates, LP (the "Developer"), filed a Preliminary and Final Site Plan application with "c" variances to construct four (4) buildings with a total of forty (40) residential units on the Property, which was approved by the Jersey City Planning Board (the "JCPB") on May 10, 2011 (the "Approval"); and

WHEREAS, the JCPB, as part of the Approval, required that the JCHA provide new rights of way to better integrate the district into the surrounding street grid and urban fabric of the community; and

WHEREAS, in accordance with the Approval, the Developer was required to construct certain roadway improvements within said Gardens for the benefit of the JCHA; and

WHEREAS, upon completion of the roadway improvements required by the Approval, the JCHA desires to convey by deed of easement and dedicate for use as a public right of way certain lands and improvements of the Property as described below to the City of Jersey City (the "City"); and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of land and appurtenances for public purposes.

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

1. A portion of the improvements located within the Gardens, and described as follows (being referred to as the Right of Way):

a. Block 2088.1, Lots 11, 13, and 15 (A.K.A. Barbara Place) consisting of approximately 1.473 acres shown on Exhibit A attached hereto and more accurately described in Exhibit B attached hereto is hereby accepted and dedicated as a public right-of-way.

2. The acceptance of this dedication shall be subject to the following terms and conditions:

Upon delivery of a deed of easement to the City pursuant to the terms hereof, JCHA shall provide the City with a one (1) year maintenance bond for the roadways and improvements. During the one (1) year period following the delivery of the deed, JCHA shall promptly correct any deficiencies in workmanship and design which threaten the structural integrity of the roadways and improvements or create a risk to public safety, upon receiving written notice of such deficiencies from the Municipal Engineer. At the end of the one (1) year period, the City shall be responsible for the structural maintenance of the roadways and improvements which are the subject of this dedication.

3. After the completion of the improvements required by Planning Board Resolutions P11-020.1 and P11-21.1, both dated February 11, 2014 and approval of the improvements by the Municipal Engineer, the Mayor or Business Administrator is hereby authorized:

- (a) subject to review and approval by the City's Corporation Counsel of a title report provided by JCHA, accept delivery of and record a deed of easement from JCHA conveying the dedicated lands and improvements; and
- (b) subject to review and approval by the Municipal Engineer, accept all easements described in paragraph 4 below; and
- (c) subject to review and approval by the City's Corporation Counsel, execute all documents necessary to accomplish the dedication of the aforementioned lands.

4. This dedication shall be subject to all easements affecting the Property recorded in the Office of the Hudson County register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines including cable television wires and poles, together with the right of ingress and egress at all times for such purposes and all other purposes in connection or in any way relating to an entity's use or operation of water, sewer or utility lines.

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

B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect in the manner as prescribed 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 new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

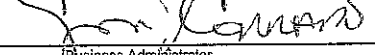
RR
6-18-18

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____



Business Administrator

Certification Required

Not Required

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE ACCEPTING FROM THE JERSEY CITY HOUSING AUTHORITY A DEDICATION OF A CERTAIN RIGHT OF WAY WITHIN A PORTION OF LAFAYETTE GARDENS KNOWN AS BARBARA PLACE

Initiator

Department/Division	Administration	Engineering
Name/Title	Joe Cunha	Municipal Engineer
Phone/email	547-4411	JCunha@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The Jersey City Housing Authority (“JCHA”) is the owner of the land roadways, sidewalks, and utilities, including all appurtenant street hardware existing within Lafayette Gardens (the “Gardens”). In conjunction with the JCHA, Glenview Townhouses II Urban Renewal Associates, LP (the “Developer”), filed an application with the Planning Board to construct 4 buildings with a total of 40 residential units. In accordance with the approval, the Developer was required to construct certain roadway improvements within said Gardens for the benefit of the JCHA. Upon completion of the roadway improvements, the JCHA desires to convey by deed of easement and dedicate for use as a public right of way certain lands and improvements to the City known as Barbara Place.

I certify that all the facts presented herein are accurate.

M. L.
Signature of Department Director

6/20/18
Date

EXHIBIT A

EXHIBIT B



**AREA OF EXISTING LOT 11, LOTS 13 AND 15, BLOCK 2088.1
TO BE DEDICATED FOR RIGHT OF WAY PURPOSES
CITY OF JERSEY CITY, HUDSON COUNTY
NEW JERSEY**

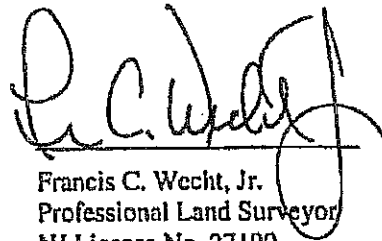
Education
Energy Utility
Hospitality
Public Safety
Retail Leisure
Science & Technology

Beginning at the intersection of the northerly line of existing Lot 12 in Block 2088.1 with southerly line of Lot 13, and the easterly line of Ash Street, 60.00 feet in width, all as laid down on a certain map entitled "Amended Preliminary & Final Major Subdivision of Block 2088.1, Lots 2, 9, 11, 13, 14 & 15, City of Jersey City, Hudson County, New Jersey" dated 1/05/2010 and last revised 4/12/10, prepared by Paulus, Sokolowski and Sartor, LLC, 67B Mountain Boulevard Extension, Warren, New Jersey and running from the beginning point herein described; thence,

- 1) North 30 degrees 59 minutes 58 seconds West, along the easterly line of Ash Street, for a distance of 37.11 feet to its intersection with the northerly line of Carbon Street, 30.00 feet in width; thence,
- 2) North 76 degrees 54 minutes 23 seconds West, along the same, for a distance of 18.53 feet to the northerly line of Lot 13 in Block 2088.1; thence,
- 3) North 59 degrees 00 minutes 03 seconds East, along the northerly line of Lot 13 in Block 2088.1 and beyond, for a distance of 313.38 feet to a point of curvature in the line of the proposed variable width right of way; thence,
- 4) Northeasterly, along the proposed variable width right of way line, on a curve bearing to the left having a radius of 75.00 feet with a central angle of 62 degrees 02 minutes 19 seconds, with a chord bearing of North 27 degrees 58 minutes 54 seconds East and chord distance of 77.30 feet, for a distance along an arc of 81.21 feet to a point of tangency in the same; thence,
- 5) North 03 degrees 02 minutes 16 seconds West, along the same, for a distance of 158.44 feet to a point of curvature in the line of the proposed variable width right of way; thence,
- 6) Northwesterly, along the proposed variable width right of way line, on a curve bearing to the left having a radius of 25.00 feet with a central angle of 117 degrees 57 minutes 41 seconds, with a chord bearing of North 62 degrees 01 minutes 07 seconds West and chord distance of 42.85 feet, for a distance along an arc of 51.47 feet to a point of tangency in the same; thence,

- 7) South 59 degrees 00 minutes 03 seconds West, along the same and along the southerly line of Lot 15 in Block 2088.1, for a distance of 655.29 feet to a point lying in the aforementioned northerly line of Carbon Street; thence,
- 8) North 76 degrees 54 minutes 23 seconds West, along the same, for a distance of 67.55 feet to the northerly line of Lot 15 in Block 2088.1; thence,
- 9) North 59 degrees 00 minutes 03 seconds East, along the northerly line of Lot 15 in Block 2088.1 and beyond, for a distance of 706.37 feet to a point of curvature in the line of the proposed variable width right of way; thence,
- 10) Southeasterly, along the proposed variable width right of way line, on a curve bearing to the right having a radius of 70.00 feet with a central angle of 117 degrees 57 minutes 41 seconds, with a chord bearing of South 74 degrees 21 minutes 42 seconds East and chord distance of 119.98 feet, for a distance along an arc of 144.12 feet to a point of tangency in the same; thence,
- 11) South 03 degrees 02 minutes 16 seconds East, along the same, for a distance of 163.36 feet to a point of curvature in the line of the proposed variable width right of way; thence,
- 12) Southwesterly, along the proposed variable width right of way line, on a curve bearing to the right having a radius of 125.00 feet with a central angle of 62 degrees 02 minutes 19 seconds, with a chord bearing of South 15 degrees 38 minutes 18 seconds West and chord distance of 128.83 feet, for a distance along an arc of 135.35 feet to a point of tangency in the same; thence,
- 13) South 59 degrees 00 minutes 03 seconds West, along the same and the southerly line of Lot 13 in Block 2088.1, for a distance of 295.55 feet to the point and place of beginning.

Containing a calculated area of 64,181 square feet or 1.473 acres. The above description also being known and designated as Lots 13, 15 and the variable width right of way to be dedicated to the City of Jersey City, in Block 2088.1 on the abovementioned final subdivision map.



Francis C. Wecht, Jr.
Professional Land Surveyor
NJ License No. 27190
April 1, 2015

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



ORDINANCE NO. Ord. 18-072
 TITLE: 3.C JUN 27 2018 4.C **JUL 18 2018**

Ordinance accepting from the Jersey City Housing Authority a dedication of a certain right of way within a portion of Lafayette Gardens known as Barbara Place.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JUN 27 2018 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	ABSENT			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
JUL 18 2018											
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.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			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.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
JUL 18 2018 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 27 2018
 Adopted on second and final reading after hearing on JUL 18 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUL 18 2018**

 Robert Byrne, City Clerk

*Amendment(s):

APPROVED: _____
 Rolando R. Lavarro, Jr., Council President

Date JUL 18 2018

APPROVED: _____
 Steven M. Fulop, Mayor

Date JUL 23 2018

Date to Mayor JUL 19 2018