

CITY OF VINELAND

ORDINANCE NO. 2016-_____

ORDINANCE AUTHORIZING THE USE OF EMINENT DOMAIN IN ACCORDANCE WITH THE REDEVELOPMENT AND HOUSING LAWS AND THE EMINENT DOMAIN ACT

WHEREAS, on March 28, 2000, in order to stimulate redevelopment in downtown Vineland and in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40 A: 12 A – 1 et seq. (Redevelopment Law), City Council of the City of Vineland designated certain properties within the City as a Redevelopment Area, which included therein Block 4201 Lot 5 (Redevelopment Area); and

WHEREAS, on May 25, 2004, the City Council of the City of Vineland adopted Ordinance 2004 – 25, which sets forth, inter alia, the plan for the Redevelopment Area; and

WHEREAS, City Council adopted Resolution 2007 – 94, designating Eastern Pacific Development/Hans Lampart as the Redeveloper and the City Council and Hans Lampart entered into a Redevelopment and Participation Agreement dated January 15, 2008, as amended on April 27, 2009, June 7, 2010, July 29, 2011, and July 14, 2015 (collectively Agreement) which described the redevelopment of the Redevelopment Area and defined each corner; the South East corner includes Block 4201 Lot 5, also known as Quadrant III; and

WHEREAS, and in accordance with the Agreement, the Redeveloper must negotiate in good faith with all property owners in the Redevelopment Area for the acquisition of property and failing to do so, the City may consider eminent domain for acquisition and completion of the redevelopment as found to be necessary in accordance with Resolution 2000 – 205 of the City Council of the City of Vineland and N.J.S.A. 40 A: 12 A – 1 et seq.; and

WHEREAS, City Council as the governing body and as the Redevelopment Entity finds it to be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that in order to acquire Block 4201 Lot 5 a fair offer for its acquisition shall be authorized, which shall be determined by way of an appraisal and ultimately by voluntary agreement or determination made pursuant to the Eminent Domain Act and the Redevelopment and Housing Laws.

BE IT FURTHER ORDAINED that the City Solicitor, staff of the Legal Department and such other municipal officials as are appropriate are hereby authorized to execute such documents, and undertake such action as is necessary to carry out the purpose of this Ordinance.

BE IT FURTHER ORDAINED that the President of City Council and also on behalf of the Redevelopment Entity shall execute any documents necessary to consummate the acquisition of Block 4201 Lot 5 as is herein specified.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk