

BY CITY COUNCIL AS A WHOLE:

WHEREAS, the City Council by Resolution adopted on October 28, 2014, and as subsequently amended on January 13, 2015, authorized the Planning Board of the City of Elizabeth to conduct a study to determine whether 829-961 Newark Avenue (11-847), 827-907 Newark Avenue (11-847A), 1001-1013 Newark Avenue (11-848), 1015-1027 Newark Avenue (11-849), and 1029-1061 Newark Avenue (11-850) should be designated as areas in need of redevelopment and that would also permit the use of eminent domain; and

WHEREAS, Harbor Consultants, the City's Planners, has prepared a Redevelopment study of each of the aforesaid properties, which has been identified and commonly known as the Baker Center Redevelopment Study (the "Study"); and

WHEREAS, the Planning Board of the City of Elizabeth received the Study and conducted a public hearing on April 16, 2015, after notice has been effectuated to all affected property owners via certified mail, and published twice as required by law; and

WHEREAS, in addition to the Study which submitted to the Planning Board at its regular hearing of April 16, 2015, Michael Mistretta, a licensed Professional Planner from Harbor Consultants, presented the contents of this Study and responded to questions from the Board and cross examination from members of the public who attended this public meeting, which also included rebuttal testimony from Peter Steck, professional planner on behalf of the owner of property located at 1029-1061 Newark Avenue (11-850); and

WHEREAS, on April 16, 2015, the Planning Board adopted by way of Resolution that was memorialized on May 7, 2015, the findings in the Baker Center Redevelopment Study report and recommended that the Study be adopted by the City Council of the City of Elizabeth as a Condemnation Redevelopment Area; now, therefore be it

RESOLVED, that the City Council of the City of Elizabeth approves and adopts the Baker Center Redevelopment Study, and determines that that the aforesaid properties meet the statutory criteria as Condemnation Redevelopment Area pursuant to the recommendation of the Planning Board; and be it

FURTHER RESOLVED, that the City Clerk shall forthwith transmit a copy of this Resolution to all property owners of the aforesaid properties listed on Exhibit A and to the Commissioner of the New Jersey Department of Community Affairs, pursuant to the provisions of N.J.S.A. 40A:12A-6; and be it

ADOPTED BY CITY COUNCIL OF
ELIZABETH, NJ AT MEETING
FEB 09 2016
YOLANDA M. ROBERTS
CITY CLERK

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| Mayor ✓ | Police Dir. | Personnel | Ed. Admstr. |
| Dep. Admin. ✓ | Pub. Works Dir. | Judge | Plan. Dir. ✓ |
| City Atty. ✓ | Recreation Dir. | Assessor | Chief Fin. Off. |
| Finance Dir. | Treasurer | Engineer | Policy & Plan. Dir. ✓ |
| Fire Dir. | Asst. Dir. | De. Educ. | Neigh-Serv. Dir. |
| HMW Dir. | Participating | | |

Borden Haas
Patricia McNamee - Planning Bd
N.J. Dept. Comm. Affairs City Clerk
35-850

FURTHER RESOLVED, that the City Clerk shall forthwith transmit a notice, by regular and certified mail, to all property owners listed in the "Condemnation Redevelopment Area" that the designation operates as a finding of public purpose and that the property may be taken against the owner's will by the use of eminent domain; and that if the property owners listed in the "Condemnation Redevelopment Area" wish to challenge this designation; the property owner has forty-five (45) calendar days from the date of receipt of notice that the Resolution was adopted and published to file an action in the Superior Court of New Jersey, Union County; and be it

FURTHER RESOLVED, that the Planning Board is authorized to prepare a Redevelopment Plan upon approval of this Resolution by the Commissioner of the Department of Community Affairs pursuant to the provisions of N.J.S.A. 40A:12A-6.