

**RESOLUTION OF THE TOWNSHIP OF WEST ORANGE AUTHORIZING THE EXECUTION OF MEMORANDUM OF UNDERSTANDING AND INTERIM REDEVELOPMENT AGREEMENT AND DESIGNATING THE MBS GROUP AS CONDITIONAL-REDEVELOPER FOR FILM SERVICES OVERLAY DISTRICT (FSOD) OF THE DOWNTOWN REDEVELOPMENT PLAN.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, the Township, acting by resolution, determined that a portion of the downtown was an “area in need of redevelopment” (the “Downtown Redevelopment Area”) in accordance with N.J.S.A. 40A:12A-6(b); and

**WHEREAS**, on February 9, 2003 the Township Council approved an Ordinance adopting a redevelopment plan for the Downtown Redevelopment Area (the “Original Redevelopment Plan”); and

**WHEREAS**, the Original Redevelopment Plan has been amended by “Amendments to Downtown Redevelopment Plan,” the “First Amendment,” adopted August 15, 2006, the “Second Amendment,” adopted March 6, 2007, and the “Third Amendment,” adopted in 2010; and

**WHEREAS**, while some redevelopment has occurred, a large portion of the Downtown Redevelopment Area has remained stagnant and undeveloped for many years; and

**WHEREAS**, the Township is pursuing other more viable and feasible development alternatives for the Downtown Redevelopment Area; and

**WHEREAS**, on September 14, 2021, by Ordinance No. 2656-21, the Township adopted a fourth redevelopment plan, entitled Fourth Amendment to Downtown Redevelopment Plan, Township of West Orange, New Jersey (the “Fourth Amended Redevelopment Plan”); and

**WHEREAS**, the Fourth Amended Redevelopment Plan creates a new overlay zone (the Film Services Overlay District (the “FSOD”), which provides for film production activities adjacent to the location of the world's first film production studio, the Black Maria, which was on the grounds of what is now the Thomas Edison National Historical Park; and

**WHEREAS**, the FSOD is comprised of the following properties:

Block 63, Lots 24, 25, 33.01, 33.02, 36, 37, 38, 39 and 41, located East of Standish Avenue and south of Lakeside Avenue;

Block 64, Lots 2.01, 2.03, 2.04, 3.02, 28, 30, 31, 32, 33, 34, 34.01, 38, 42.02, 49 and 49.01, located East of Ashland Avenue, South of Lakeside Avenue and West of Standish Avenue; and

Block 115, Lots 15, 16 and 16.01 and 51, located North of Lakeside Avenue, West of Watchung Avenue and South of Columbia Street

(all of the foregoing properties comprising the FSOD referred to herein as the “Project Site”); and

**WHEREAS**, the Redevelopment Law, N.J.S.A. 40A:12A-8(f), authorizes the Township to arrange or contract with a redeveloper for the undertaking of any project or redevelopment work in an area designated as an area in need of redevelopment; and

**WHEREAS**, the Township has been in discussions with Conditional Redeveloper regarding redevelopment of the Project Site pursuant to the FSOD zoning standards under the Fourth Amended Redevelopment Plan; and

**WHEREAS**, project proposed by Conditional Redeveloper will be consistent with the current redevelopment plan; and

**WHEREAS**, the redevelopment work will call for, among other things, demolition of existing improvements and construction of new improvements (the “Project Improvements”); and

**WHEREAS**, the Township has determined that it is appropriate to conditionally designate The MBS Group as the redeveloper of the Project Site and to authorize the execution of the Memorandum of Understanding and Interim Redevelopment Agreement, in the form attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of West Orange, as follows:

**Section 1.** The MBS Group or its assignee (“MBS”) is hereby conditionally designated as the redeveloper of the Project Site and the Township will negotiate exclusively with MBS to enter into a redevelopment agreement with respect to the Project Site.

**Section 2.** The Township and MBS shall each reserve the right, in their sole discretion, to determine whether and on what terms to enter into such an agreement.

**Section 3.** The within designation is hereby made for a limited period of one hundred and eighty (180) days from the date hereof, subject to extension by mutual agreement of the parties.

**Section 4.** The execution of the Memorandum of Understanding and Interim Redevelopment Agreement in the form attached hereto as Exhibit A by the Mayor is hereby authorized and approved.

**Section 5.** This resolution shall take effect immediately.

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**Karen J. Carnevale, R.M.C.**  
**President**  
**Municipal Clerk**

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**Susan McCartney, Council**

**Adopted : March 1, 2022**