

U.S. Army Corps of Engineers  
New York District

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**JOSEPH G. MINISH  
PASSAIC RIVER WATERFRONT PARK  
AND HISTORIC AREA PROJECT,  
NEWARK, NEW JERSEY**

**APPENDIX E  
REAL ESTATE PLAN**

**JULY 2015**

**JOSEPH G. MINISH  
PASSAIC RIVER WATERFRONT PARK  
AND HISTORIC AREA PROJECT,  
NEWARK, NEW JERSEY**

**JULY 2015 REAL ESTATE PLAN**

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## **1. Preamble**

a. Project Authorization: The Joseph G. Minish Passaic River Waterfront Park and Historic Area Project (the “Project”) was authorized in the Water Resources Development Act (WRDA) of 1990 (Public Law 101-640, Section 101(18)) as an element of the Passaic River Flood Damage Reduction Project, which was authorized on 28 November 1990. It was later modified in WRDA 1992 (Public Law 102-580, Section 102(p)), which extended the project limits from Jackson Street to Brill Street and increased the overall cost of the Project. Project authorization was again modified in WRDA 1996 (Public Law 104-303, Section 301 (b)(10)), which further increased the Project cost and allowed the implementation of the stream bank restoration.

The Disaster Relief Appropriations Act of 2013, Public Law 113-2, enacted on 29 January 2013 (hereinafter “P.L. 113-2”), authorizes the Secretary of the Army to use funds provided in P.L. 113-2 to complete construction of certain authorized and on-going construction projects, which would include the construction of components of this Project. If approved, construction of the Project will be 100% federally-funded utilizing funds provided in P.L. 113-2.

b. Official Project Designation: Joseph G. Minish Passaic River Waterfront Park and Historic Area Project, Newark, New Jersey (the “Project”).

c. Project Location: The Project area is located along the bank of the Passaic River between Bridge and Brill Streets in the City of Newark, County of Essex, State of New Jersey.

d. Non-Federal Sponsor: The Non-Federal Sponsor for Phase 1 of the Project is the State of New Jersey thru its Department of Environmental Protection (the “Sponsor” or “NJDEP”), partnered with the City of Newark (“local partner”).

## **2. Statement of Purpose**

The purpose of this Real Estate Plan (REP) is to provide an updated overview of the real estate requirements for the conceptual design associated with Phase 1 of the Project. This report follows the 1997 Real Estate Plan prepared by Baltimore District U.S. Army Corps of Engineers (the “1997 REP”), which is an attachment to the May 1996 Design Memorandum (the “1996 DM”). This REP is an attachment to the 2014 Hurricane Sandy Limited Reevaluation Report (HSLRR), which is an update to the 1996 DM.

Partial Phase 1 construction of this Project was been completed intermittently between 1999 and 2010 (further discussed in paragraph 3). Baltimore District was the responsible district to provide project planning and non-Federal Sponsor oversight on the real estate requirements for project. The 1997 REP provides only a dim discussion on three possible alternatives for the Project, neither of which appears to represent the actual selected plan. Consequently, the 1997 REP does not discuss the real estate requirements of a selected plan for the Project and no update appears to have followed. Therefore, this report does not compare or discuss changes of the real estate requirements from the 1997 REP. This REP provides the real estate requirements to complete Phase 1 construction of the Project.

### **3. Project Purpose and Features**

a. Project Purpose: The purpose of the Project is to reduce the risk of erosion and resulting loss of land along the Passaic River between Bridge Street and Brill Street in the City of Newark, New Jersey. This segment of the river is eroded, deteriorated, and environmentally degraded due to past commercial and industrial use and flooding. The Project will reduce erosion and provide environmental restoration, recreation, and economic development benefits.

b. Plan of Improvement: The 1996 DM proposed a project design that included three phases. The first phase ("Phase I") provides approximately 6,000 linear feet of newly constructed bulkhead, approximately 3,200 feet of riverbank and wetland restoration. The second phase ("Phase II") provides approximately 9,200 feet waterfront walkway; and the third phase ("Phase III") provides park facilities, plazas, and landscaping. The 1996 DM contained preliminary, rounded estimates only. Although the Project has three phases, this report addresses the completion of Phase I only, which is consistent with the HSLRR. Currently, there is no Project Partnership Agreement for Phase II or III of the Project.

A Project Cooperation Agreement (PCA) was executed between the U.S. Army Corps of Engineers (the "Corps") and the NJDEP in May 1999, making the NJDEP the non-Federal Sponsor for Phase I (the "1999 PCA"). A Project Partnership Agreement (PPA) between the Corps and the Sponsor is scheduled to be executed in Nov 2015, which will be an update to the 1999 PCA.

In support of the 1999 PCA, the Sponsor acquired easements over certain parcels (further discussed in paragraph 4 herein) to allow the initial construction of Phase I. In 2010, the Sponsor provided an Authorization for Entry for Construction, dated 8 February 2010 (Provided in Exhibit "F" herein) to the Corps. Phase I construction began in 1999 under multiple contracts. By 2010, the construction of a bulkhead along two separate reaches within the Project limits was completed. However, construction efforts stopped due to funding limitations. Currently, approximately 2,922 linear feet of bulkhead has been constructed. The remaining Phase 1 work includes the construction of approximately 2,858 linear feet of bulkhead, construction of approximately 2,658 linear feet of streambank stabilization, 1.68 acres of tidal wetland mitigation, and the installation of railings and access ladders along the bulkhead, including those sections of the previously constructed bulkhead. A portion of the streambank has been eliminated due to the construction of a walkway built by others. The construction of Phase I is being executed under multiple contracts, with the remaining work being subject to the approval of the HSLRR. The statuses of these contracts are described below.

1) Contract 1 (from Station 20+03 to Station 24+48.57) was for bulkhead construction. It was awarded in September 1999 and the construction of the bulkhead was completed in September 2000. The installation of railings and access ladders in this contract area are subject to the approval of the HSLRR.

2) Contract 2 (from Station 24+48.57 to Station 37+10) was for bulkhead construction. It was awarded on January 2002 and the construction of the bulkhead was

completed in March 2003. The installation of railings and access ladders in this contract area are subject to the approval of the HSLRR.

3) Contracts 3A (from Station 9+05 to Station 20+03) and 3B (from Station 0+00 to Station 9+05) is for the construction of the proposed bulkhead, railings, and access ladders. This contract is subject to the approval of the HSLRR.

4) Contract 4 (from Station 37+10 to Station 57+80.10) was for bulkhead construction. It was awarded in December 2004 and was partially completed. Work stopped in June 2006 due to insufficient funding and the contract was closed in November 2006. The installation of railings and access ladders in this contract area are subject to the approval of the HSLRR. The remaining uncompleted portion was divided into contracts 4A and 4B, described below:

a) Contract 4A (from Station 45+68.60 to Station 57+80.10) is for bulkhead construction and riverbank stabilization. This contract was awarded in January 2008 and consisted of a basic contract and four options. The Basic Contract and Option 1, consisting of bulkhead construction and concrete cap work from Contract 4, were completed in July 2010. No riverbank stabilization work has yet to be completed and the construction for this effort is subject to the approval of the HSLRR.

b) Contract 4B (from Station 37+10 to Station 45+68.60) is for bulkhead construction, and is subject to the approval of the HSLRR. Upon the approval of the HSLRR, Contracts 3B, 4B, and the riverbank stabilization efforts (from Station 57+80.10 to Station 62+00 and from Station 69+75 to Station 92+13.59) will be combined into one contract.

Project construction will begin with Contract 3A, followed by Contract 3B, Contract 4B, and the riverbank stabilization area. The general locations of these contracts are shown on the Project Real Estate Maps provided in Exhibit "A-1."

c. Required Lands, Easements, and Rights-of-Way (LER): The total LER required for the Project is approximately **18.56 acres**. No disposal or borrowing areas are required for the Project.

Fee-----	±1.68 acres
Permanent Easements-----	±8.84 acres
Temporary Easements-----	<u>±8.04 acres</u>
Total:	±18.56 acres

The Project as a whole (including the previously constructed bulkhead areas) **impact 47 parcels** (33 publicly-owned and 14 privately-owned), including public roads/streets. In some instances, more than one estate will be acquired from the same owner. The total impacted parcels do not include land required for mitigation since the location for mitigation site has not

yet been determined. Permanent easements over certain parcels have already been secured by the Sponsor in support of the initial Phase I construction effort (further discussed in paragraph 4).

Since there are concerns surrounding the easements that were acquired (or presumed to have been acquired) for the construction of the existing bulkhead (see paragraph 4), those acres are included as part of the real estate requirements in this REP. It is recommended that the Sponsor address these concerns so that the right to enter those parcels to construct the proposed railings and access ladders can proceed without question. The recommended minimum real estate interests to acquire in support of the Project are as follows:

I. **Fee-** Approximately **1.68 acres** are required in fee for the purpose of wetlands restoration to satisfy the mitigation requirements for the Project. A site to be mitigated has not yet been selected. A previously selected mitigation site was determined to be a superfund area. Any site mitigated is expected to be publicly-owned. Discussions with the Sponsor to identify a mitigation site(s) are on-going. This REP will be amended to include the locations of the mitigation site(s) upon determination.

II. **Flood Protection Levee Easement (Standard Estate No. 9)-** Approximately **5.38 acres** are required for a perpetual Flood Protection Levee Easement for bulkhead construction. This permanent easement impacts a total of 35 parcels (including public streets and roads), 14 privately-owned and 21 publicly-owned. A portion of the real estate required for this easement has been previously secured by the Sponsor for the initial Phase 1 construction (see paragraph 4).

Approximate 1.3625 acres of the 5.38 acres required for this easement consists of submerge lands below the mean high water mark (MHW) of the Passaic River, which is discussed further in paragraph 7.

III. **Bank Protection Easement (Standard Estate No. 21)-** Approximately **3.46 acres** are required for a Bank Protection Easement for the placement of riprap and other soil protection measures to stabilize and prevent erosion of the riverbank. This permanent easement impacts 12 parcels, all publicly-owned.

Approximate .0421 acres of the 3.46 acres required for this easement consists of submerge lands below the MHW of the Passaic River, which is discussed further in paragraph 7 herein.

IV. **Temporary Work Area Easement (Standard Estate No. 15)-** Approximately **8.04 acres** are required for a Temporary Work Area Easement, for a **two-year duration**, for the purpose of providing multiple work/staging areas. This easement impacts a total of 29 parcels (including public streets and roads), 8 privately-owned and 21 publicly-owned.

V. **LER Summary-** Exhibit B-1 provides a summary of the real estate requirements for the Project. The list of impacted parcels is provided in Exhibit “B-2” and the recommended standard estates are provided in Exhibit “C”. The size of real estate interests required for the Project are estimations based on available Geographic Information System (GIS) data. The

Sponsor will be advised to obtain a survey and legal description for the real estate interest acquired on each parcel to determine its precise size and boundary within its respective parcel.

d. Appraisal Information: An appraisal cost estimate was prepared by the Louisville District, Corps of Engineers and approved by the New York District in September 2014. A full land valuation and survey of the easement area would be needed for a more accurate estimation. The total estimated land value for the required LER to complete the proposed Phase 1 construction is approximately **\$7,547,972**. Table-1 shows the appraised land values by contract areas. These values do not include incidental costs and should not be interpreted as the Project's total real estate costs. See Table-2 in paragraph 11 for the Project's overall real estate costs.

Table-1

Contract Areas	Appraised Land Values by Estate Type			Total Land Value
	Fee	Permanent Easements	Temporary Easement	
Contract 3A	-	\$479,813	\$262,657	\$742,470
Contract 3B	-	\$510,414	\$389,531	\$899,945
Contract 4B	-	\$775,695	\$75,095	\$850,790
Streambank Stabilization	-	\$3,765,435	\$1,132,515	\$4,897,951
Mitigation	\$156,816	-	-	\$156,816
Contract 1	-	-	-	-
Contract 2	-	-	-	-
Contract 4A	-	-	-	-
<b>Total Land Value</b>	<b>\$156,816</b>	<b>\$5,531,357</b>	<b>\$1,859,798</b>	<b>\$7,547,972</b>

\*Contract areas 1, 2, and 4A consist of the previously constructed bulkhead area.

#### **4. LER Owned by the Non-Federal Sponsor**

The State of New Jersey owns approximately **3.05 acres** that are included as part of the LER required for the Project. The Sponsor will provide the appropriate authorization to allow certification of the real estate. The Sponsor will not be provided with special value considerations or crediting principles for LER it already owns. Additionally, the Sponsor is not eligible for crediting of expenses associated with the acquisition of easements that were required for the initial Phase 1 bulkhead construction nor for the modification of existing easements (acquired for the initial Phase 1 bulkhead construction) to incorporate the required standard estate language therein. These matters are further discussed below.

a. The Sponsor has previously acquired permanent easements over 15 parcels (see Exhibit “B-3” and Exhibit “F”). These easements were acquired for the initial construction of the existing bulkheads. Although these easements appear to provide sufficient language that allowed for the construction of the existing bulkheads and which would allow for the installation of the proposed railings and access ladders on the existing bulkheads, they do not include the appropriate required standard estate language therein.

Additionally, permanent easements acquired over six parcels located at the proposed riverbank stabilization area do not include the required standard estate language that would allow for such work. The language therein pertains only to the construction of a bulkhead. To conform to Corps policy, the Sponsor will be required to amend existing easements to include the appropriate respective standard estate language or acquire new easements for the same and recertify the real estate for these parcels.

b. The District has been unable to confirm the existence of easements over eight parcels where the bulkhead has been constructed. It is assumed the Sponsor acquired these easements to allow initial construction of the existing bulkheads. However, without evidence of said easements there is no record that authorized construction of the existing bulkhead on the eight parcels. As a result, construction of the proposed railings and access ladders therein may not be legally permissible. The eight parcels were not included in the Sponsor’s 2010 Authorization for Entry for Construction (See Exhibit “F”). The eight referenced parcels are as follows:

Block 1 Lot 24	Block 1 Lot 24	Block 130 Lot 29	Block 171 Lot 1
Block 171 Lot 6	Block 171 Lot 8	Block 2029 Lot 1	Block 2029 Lot 7

c. The Sponsor’s 2010 Authorization for Entry for Construction identifies 11 parcels that have been certified by the State of New Jersey. However, four permanent easements acquired from Public Service Electric and Gas Company (PSE&G) in December 2002 are not identified in the Sponsor’s 2010 Authorization for Entry for Construction. To alleviate confusion and to confirm the acquisition of all required easements for the Project, it is recommended that all easements acquired by the Sponsor in support of the Project since its inception be recertified by the Sponsor upon the complete acquisition of all the required LER for Phase 1 of the Project.

## **5. Non-Standard Estates**

There are no proposed non-standard estates included as part of the LER required for the Project.

## **6. Existing Federal Projects**

There are no known existing Federal projects that lie either fully or partially within the LER required for the Project.



## **7. Existing Federally-Owned Land**

There are no Federally-owned lands included within the LER required for the Project.

## **8. Navigational Servitude**

Approximately 1.40 acres of the LER required lie below the MHWL, but do not extend into the Federal navigational limits of the Passaic River. Although it is the general policy of the Corps to utilize the navigational servitude in all situations where available, whether or not the Project is cost-shared or full Federal, this Project does not directly serve a purpose which is in aid of commerce. Therefore, rights in the Federal navigational servitude will not be exercised for the Project. This is consistent with CECC-R memorandum dated 19 Mar 14, subject: Availability of the Navigational Servitude for Coastal Storm Damage Reduction Projects.

The Federal navigational limits of the Passaic River are depicted in the Project Real Estate Maps provided in Exhibit "A-1" herein. The MHWL lies along the riverbank of the Passaic River and is not outlined on the Project Real Estate Maps.

## **9. Maps**

The Project Real Estate Maps are provided in Exhibit "A-1" and the locations of known and or suspected contaminated areas are provided in Exhibit "A-2". The map provided in Exhibit "A-2" is an attachment to the Project's 1996 Environmental Assessment.

## **10. Induce Flooding**

The Project does not induce flooding.

## **11. Baseline Cost Estimate for Real Estate**

An itemized BCERE is provided in Exhibit "D" in Micro-Computer Aided Cost Estimating System (MCACES) format. Table-2 provides a summary of the Project's Lands, Easements, Rights-of-Ways, Relocations, and Disposals (LERRD) costs.

Table-2

Contract Areas	Project LERRD Costs			Total LERRD Costs
	LER	Relocations	Disposals	
Contract 3A	\$970,764	\$0	\$0	\$970,764
Contract 3B	\$1,122,534	\$0	\$0	\$1,122,534
Contract 4B	\$1,170,048	\$0	\$0	\$1,170,048
Streambank Stabilization	\$6,118,741	\$0	\$0	\$6,118,741
Mitigation	\$230,779	\$0	\$0	\$230,779
Subtotal:				<u>\$9,612,866</u>
Contract 1	\$7,200	\$0	\$0	\$7,200
Contract 2	\$14,400	\$0	\$0	\$14,400
Contract 4A	\$21,600	\$0	\$0	\$21,600
Subtotal:				<u>\$43,200</u>
<b>Total LERRD Costs:</b>				<b><u>\$9,656,066</u></b>

\*Costs contain a 20% contingency

\*Contract areas 1, 2, and 4A consist of the previously constructed bulkhead area.

The total estimated real estate costs for the Project is **\$11,513,119**. The Project's real estate costs are divided between the following two cost accounts:

Table-3

01-Lands & Damages.....	\$9,410,666
30-Federal Review & Assistance.....	\$245,400
Total Real Estate Costs:	\$9,656,066

If approved as an authorized and on-going construction project, the costs of the Project will be 100% federally-funded utilizing funds provided in P.L. 113-2. Therefore, the Sponsor will be entitled to 100% crediting of their documented real estate acquisition expenses. The Sponsor will not be entitled crediting for the acquisition/modification of permanent easements (if necessary) that were required for the previously constructed bulkhead area (Contracts 1, 2, and 4A) (as discussed in paragraph 4 herein). However, the Sponsor will be entitled crediting for incidental costs associated with the acquisition of temporary easements required within said contract areas for the completion of Phase 1 bulkhead construction.

## **12. Public Law 91-646, Uniform Relocation Assistance**

No relocation assistance benefits in accordance with Public Law 91-646 are anticipated to be required for the Project.

## **13. Minerals and Timber Activity**

There are no present or anticipated mineral activities or timber harvesting within the LER required for the Project.

## **14. Non-Federal Sponsor Acquisition Capability**

The Sponsor maintains the legal and professional capability and experience to acquire the LER in support of the Project. The Sponsor has condemnation authority and other applicable authorities that may apply if necessary to support acquisition measures, although these measures are not anticipated. While not anticipated for the Project, the Sponsor is aware of Public Law 91-646 requirements and the requirements to document acquisition and incidental expenses associated with acquiring the LER for the Project for crediting purposes. The Sponsor has successfully acquired real estate for the Sea Bright to Manasquan Inlet Beach Erosion Control Project, the Long Branch, New Jersey Post-Sandy Emergency Beach Replenishment Project, the Asbury Park to Avon-by-the-Sea, New Jersey Post-Sandy Emergency Beach Replenishment Project, and the Raritan and Sandy Hook Bay, New Jersey Hurricane and Storm Damage Reduction Project, Port Monmouth, New Jersey.

The Non-Federal Sponsor Capability Assessment Checklist is attached as Exhibit “E”. The assessment checklist was coordinated with the Sponsor; however, the Sponsor has not provided comments to the assessment. The assessment was completed based on current and past real estate acquisition capabilities and performances of the Sponsor on other Corps water resource (Civil Works) projects.

## **15. Zoning**

No application or enactment of zoning ordinances is anticipated in lieu of, or to facilitate, the acquisition of LER for the Project.

## **16. Schedule of Acquisition**

	<u>Date</u>
PPA Execution.....	Nov 2015
Sponsor’s Notice to Proceed with Acquisition.....	Nov 2015
Contract 3A Authorization for Entry for Construction.....	Dec 2015
Contract 3A LER Certification.....	Dec 2015
Contract 3A Ready to Advertise for Construction.....	Jan 2016
Contract 3B Authorization for Entry for Construction.....	Jul 2016

Contract 3B LER Certification.....	Jul 2016
Contract 3B Ready to Advertise for Construction.....	Aug 2016
Contract 4B Authorization for Entry for Construction.....	Jul 2016
Contract 4B LER Certification.....	Jul 2016
Contract 4B Ready to Advertise for Construction.....	Aug 2016
Riverbank Stabilization Authorization for Entry for Construction.....	Jul 2016
Riverbank Stabilization LER Certification.....	Jul 2016
Riverbank Stabilization Ready to Advertise for Construction.....	Aug 2016

## **17. Relocation of Facilities or Public Utilities**

There are no facility or utility relocations anticipated in support of the Project.

## **18. Hazardous, Toxic and Radioactive Waste (HTRW)**

The Project is located in a highly developed commercial and industrial section of Newark, New Jersey and within a superfund remedial investigation area regulated under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and the Known Contaminated Sites List of New Jersey (KCSNJ) regulated under N.J.A.C. 7:26E-1.8.

As identified in the Project's 1996 Environmental Assessment (EA), there are approximately two known sites identified to be contaminated and approximately 14 sites identified as having a high potential for contaminants that are within the required LER for the Project. As Project construction contracts get implemented, sampling of excavated material will be performed by the awarded contractor to further identify contaminants and to determine the transportation and disposal methods, with the contractor assuming 100% of those costs. All contaminants will be disposed of off-site at an approved landfill or treatment facility in compliance with all state regulatory requirements. All sediments below the MHWL along the Project area are assumed contaminated.

Block 4, Lot 1, owned by PSEG, contains known contaminants. PSEG has developed a remediation action plan that is projected to begin in 2015 and completed by 2016. The construction work under Contract 3B, which impacts this parcel, will not begin until remediation is completed by PSEG. PSEG is responsible for all cost associated with remediating Block 4, Lot 1.

The 1996 EA is currently the active and referenced report regarding HTRW for the Project, which is an attachment to the 1996 DM. An updated EA is included with the HSLRR to assess changes in existing conditions and regulatory requirements for Phase I only. The HTRW Site Map provided in Exhibit "A-2" identifies sites that are known or suspected of having contaminants, which is an attachment to the 1996 EA.

## **19. Project Support**

A significant portion of the LER required for the Project is publicly-owned, with an area currently used as a public park. The City of Newark, local officials, business owners, and residents are supportive of the Project. Private landowners impacted by the Project appear to be receptive and in favor of it. No opposition is anticipated from public or private entities on the implementation of the proposed Project.

## **20. Notification to Non-Federal Sponsor**

Based on its past sponsorship on other Corps of Engineers water resource (Civil Works) projects, the Non-Federal Sponsor is aware of the risks of acquiring LER required for the Project prior to the signing of the PPA. However, in accordance with paragraph 12-31, Chapter 12, ER 405-1-12, Real Estate Handbook, 20 Nov 85, a formal written notice identifying the risks associated with acquiring the LER for the Project prior to the full execution of the PPA was provided to the Sponsor through letter dated 25 March 2014.

## **21. Other Issues**

a. The recent construction of the Newark Riverfront Park adjacent to the proposed riverbank restoration area now provides limited access to the riverbank due to park improvements (i.e. children playgrounds, paved walkways, soccer field, etc.) and fencing. Any damages resulting from Project construction will be restored at the expense of the selected contractor. No damages are anticipated to be paid to the Sponsor.

b. Although the Project is designed to avoid and or minimize ecological impacts, there are still unavoidable impacts to wildlife resources (which will be known upon submittal of the *Planning Aid Letter* by the US Fish and Wildlife Service), water quality, and wetlands. Unavoidable impacts to wildlife and wetlands require mitigation pursuant to the National Environmental Policy Act (NEPA), Clean Water Act and Engineering Regulation 1105-2-100, Planning Guidance Notebook, 22 Apr 00. As discussed in paragraph 2.c.I, approximately 1.68 acres of publicly-owned land is required for mitigation purposes to offset ecological impacts resulting from the Project.

A tidal wetland plan was included in the 1996 DM/EA and a mitigation plan for a wetland area was approved by NJDEP, conditionally, as a concept plan in May 2003. A previously selected site identified for mitigation contained contaminants; consequently, an alternate site is in the process of being selected. Once selected, this REP will be amended to identify its location as part of the LER required for the Project.

c. The Amtrak Dock Vertical Lift Bridge is located over Block 169.01 Lot 58. It was built in 1937, spans the width of the Passaic River, and carries train traffic as part of the Northeast Corridor rail line. This structure is listed on the National Register of Historic Places. Rights in and around the dock bridge, including air rights underneath therein, are unknown. Since the Project does not foresee the use of equipment that extends into the air at an elevated height underneath the dock bridge, there appears to be no need to acquire temporary air rights. The Sponsor will be advised to consult with Amtrak to discuss and attend to potential safety and or liability concerns that may arise during Project construction near the dock bridge.

d. There are 28 parcels that are part of the LER required for the Project that are protected under New Jersey's Green Acres Program. These parcels are identified below.

Block 1 Lot 60	Block 130 Lot 12	Block 171 Lot 8	Block 2026 Lot 22
Block 2 Lot 15	Block 130 Lot 47	Block 171 Lot 41	Block 2026 lot 7
Block 2 Lot 27	Block 133 Lot 1	Block 171 Lot 42	Block 2027 Lot 2
Block 2 Lot 29	Block 134 Lot 10	Block 2025 Lot 1	Block 2028 Lot 1
Block 3 Lot 1	Block 169.01 Lot 58	Block 2025 Lot 2	Block 2029 Lot 1
Block 3 Lot 13	Block 171 Lot 1	Block 2026 Lot 1	Block 2029 Lot 7
Block 130 Lot 1	Block 171 Lot 6	Block 2026 lot 19	Block 2029 Lot 21

Administered by the New Jersey Department of Environmental Protection, the Green Acres Program was enacted by state legislation to preserve open space for conservation and recreational purposes. Lands protected under Green Acres maintain restrictions on constructing improvements therein. Any proposed construction requires state approval. By Deed of Encumbrance dated 28 October 2011 (see Exhibit "G"), the above parcels are protected under the Green Acres Program. The District has been discussing this matter with Green Acres representatives. It is the District's understanding that the Project will not require state approval for construction, nor will it require mitigation for constructing on Green Acres parcels. The District is awaiting confirmation on the matter.

There are no other known existing encumbrances (i.e. easements, rights-of-way, etc.) within the LER required for the Project that could prevent or hinder the construction, maintenance, and or operation of the Project.

## **22. Point of Contacts**

The points of contact for this REP is Real Estate Project Delivery Team member Mr. Carlos E. Gonzalez at (917) 790-8465 (email: [Carlos.E.Gonzalez@usace.army.mil](mailto:Carlos.E.Gonzalez@usace.army.mil)) or the undersigned at (917) 790-8430 (email: [Noreen.D.Dresser@usace.army.mil](mailto:Noreen.D.Dresser@usace.army.mil)).

## **23. Recommendations**

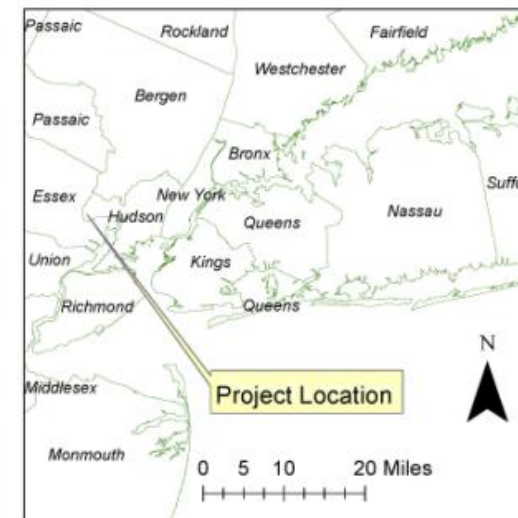
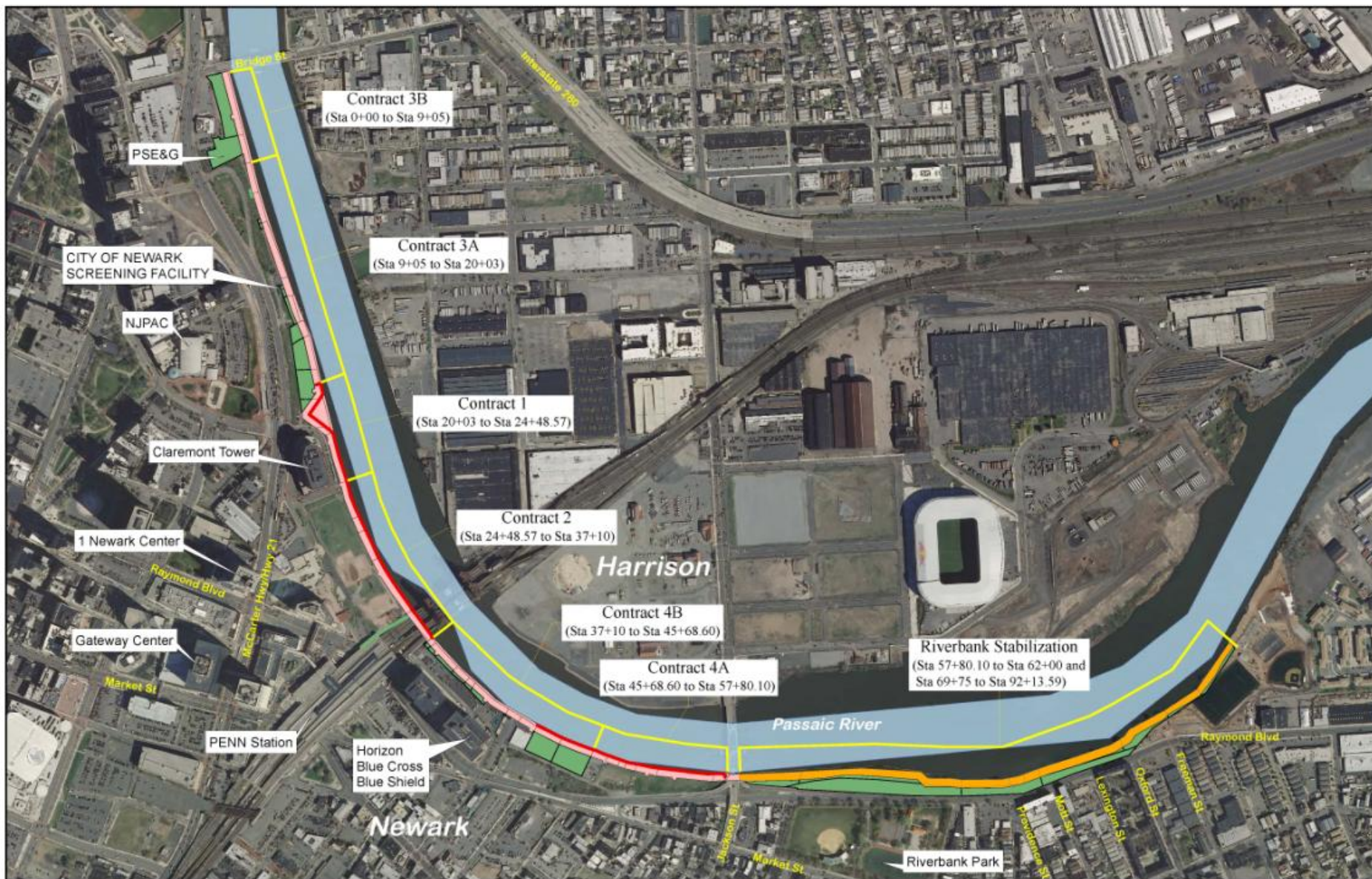
This report has been prepared in accordance with Chapter 12, ER 405-1-12, Real Estate Handbook, 20 Nov 85. It is recommended that this REP be approved.

NOREEN DEAN DRESSOR  
Chief, Real Estate Division  
Real Estate Contracting Officer

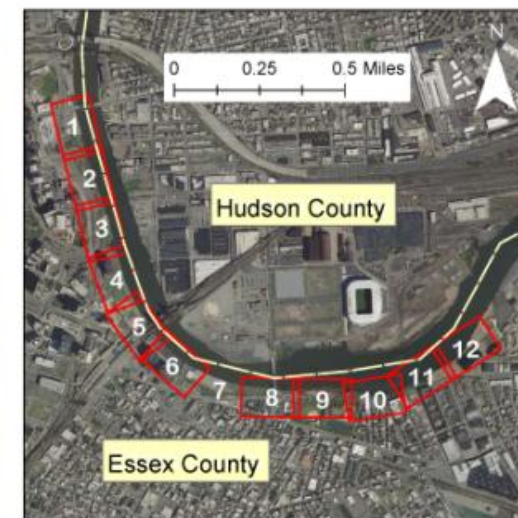
**Exhibit “A-1” and “A-2”**

**Real Estate Maps  
and  
HTRW Site Map**



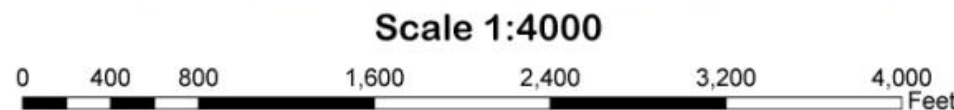


Location Map



Sheet Layout

Cover Sheet



July 25 2014



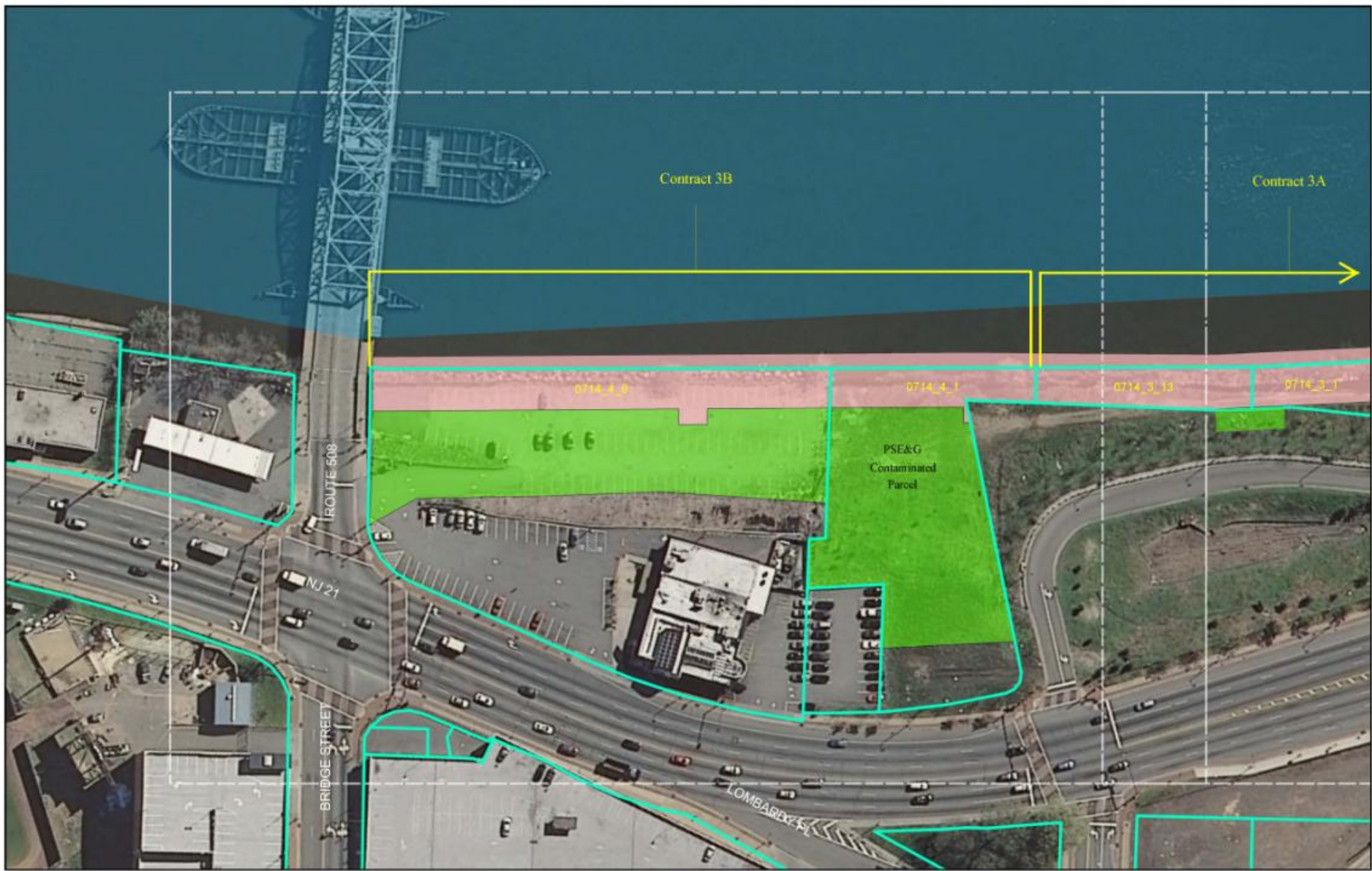
US Army Corps  
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New York District

# Real Estate Map Joseph G. Minish Waterfront Park and Historic Site Streambank Restoration Project Essex County, Newark, New Jersey

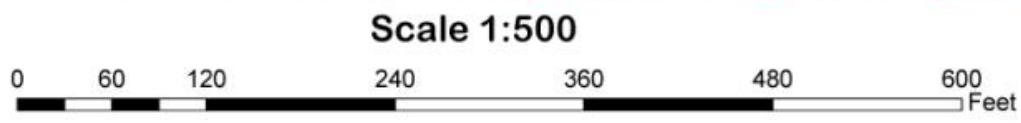
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- Existing Bulkhead
- Bank Protection Easement
- Flood Protection Levee Easement
- Temporary Work Area Easement
- Federal Navigational Limits



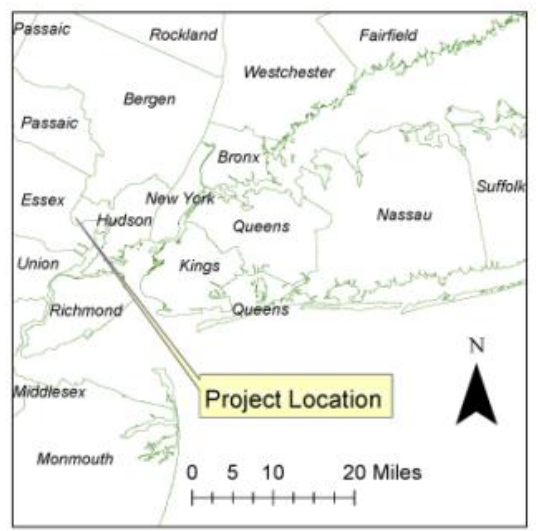


Sheet 1 of 12

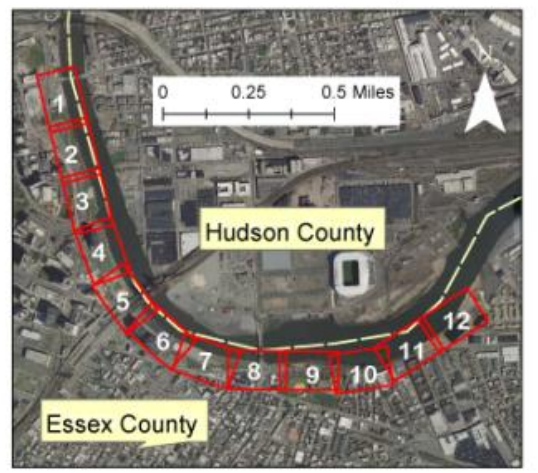


July 25 2014

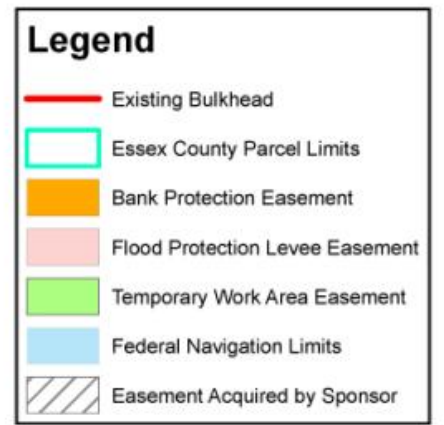
**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



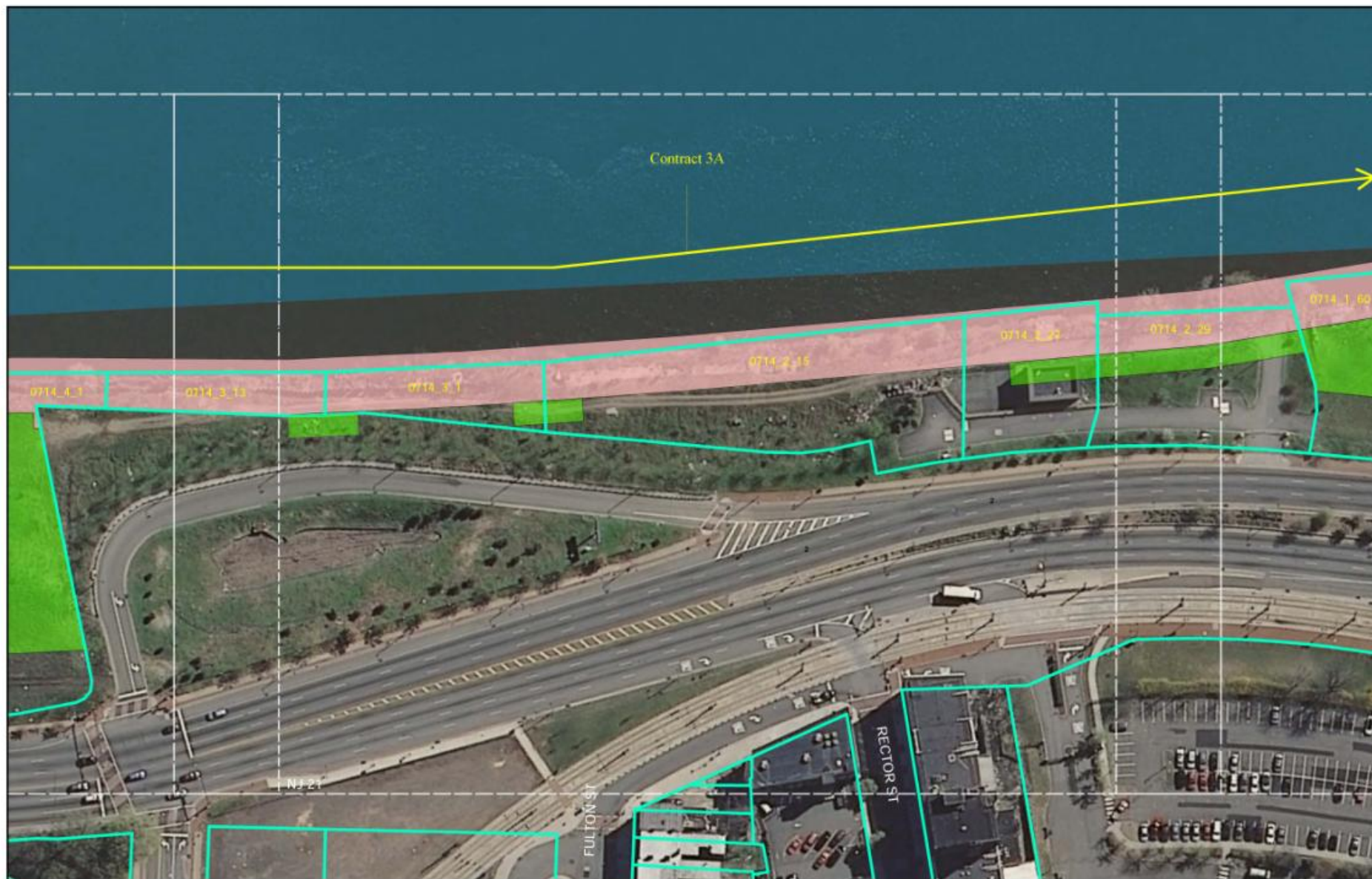
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**Sheet Layout**







Sheet 2 of 12



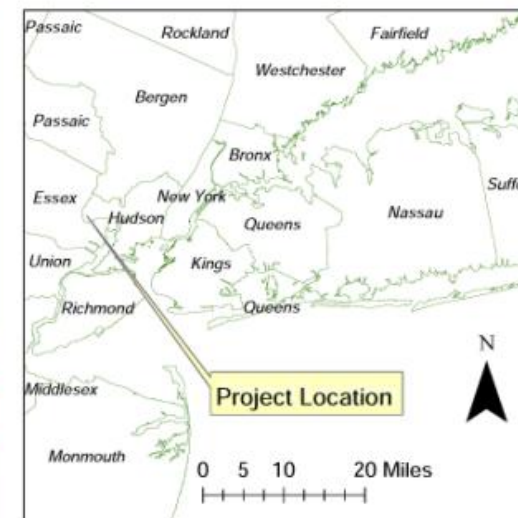
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Scale 1:500

July 25 2014

**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



**Location Map**

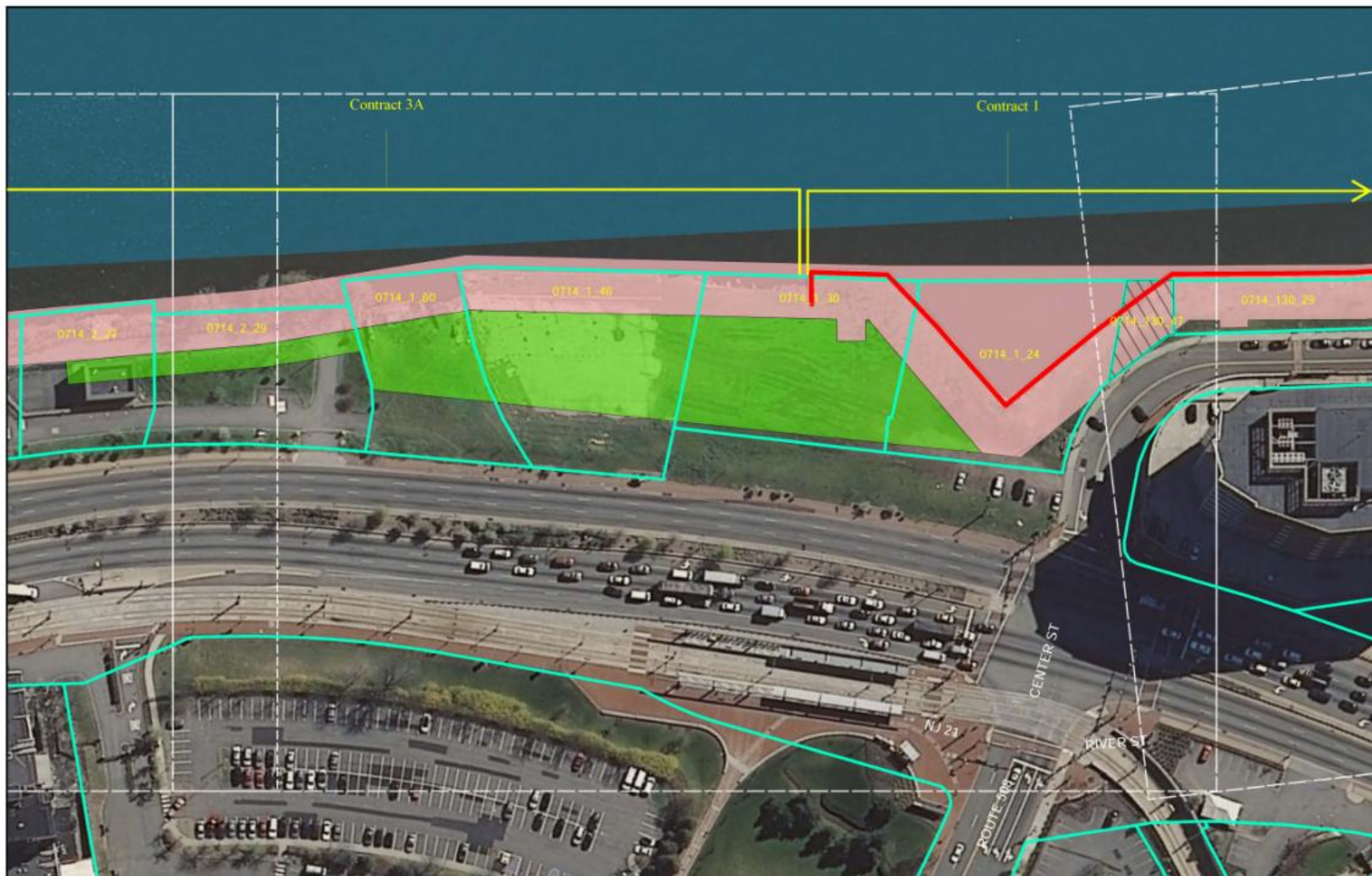


**Sheet Layout**

**Legend**

- Existing Bulkhead
- Essex County Parcel Limits
- Bank Protection Easement
- Flood Protection Levee Easement
- Temporary Work Area Easement
- Federal Navigation Limits
- Easement Acquired by Sponsor

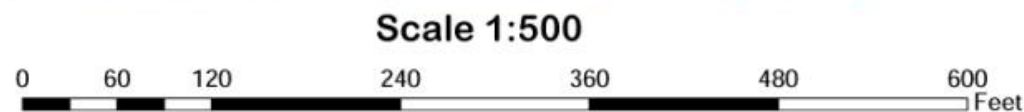




Sheet 3 of 12

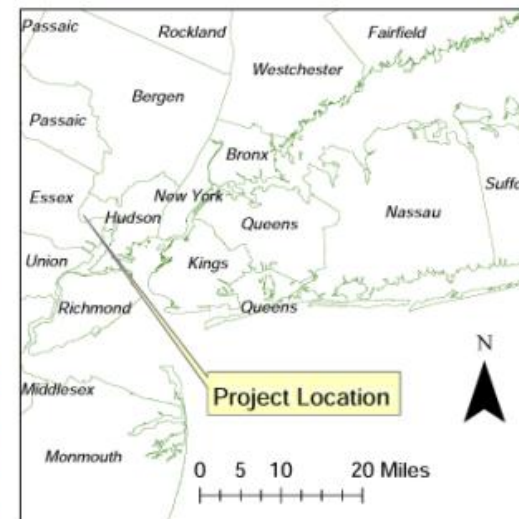


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July 25 2014

# **Real Estate Map** **Joseph G. Minish Waterfront Park and Historic Site** **Streambank Restoration Project** **Essex County, Newark, New Jersey**



**Location Map**

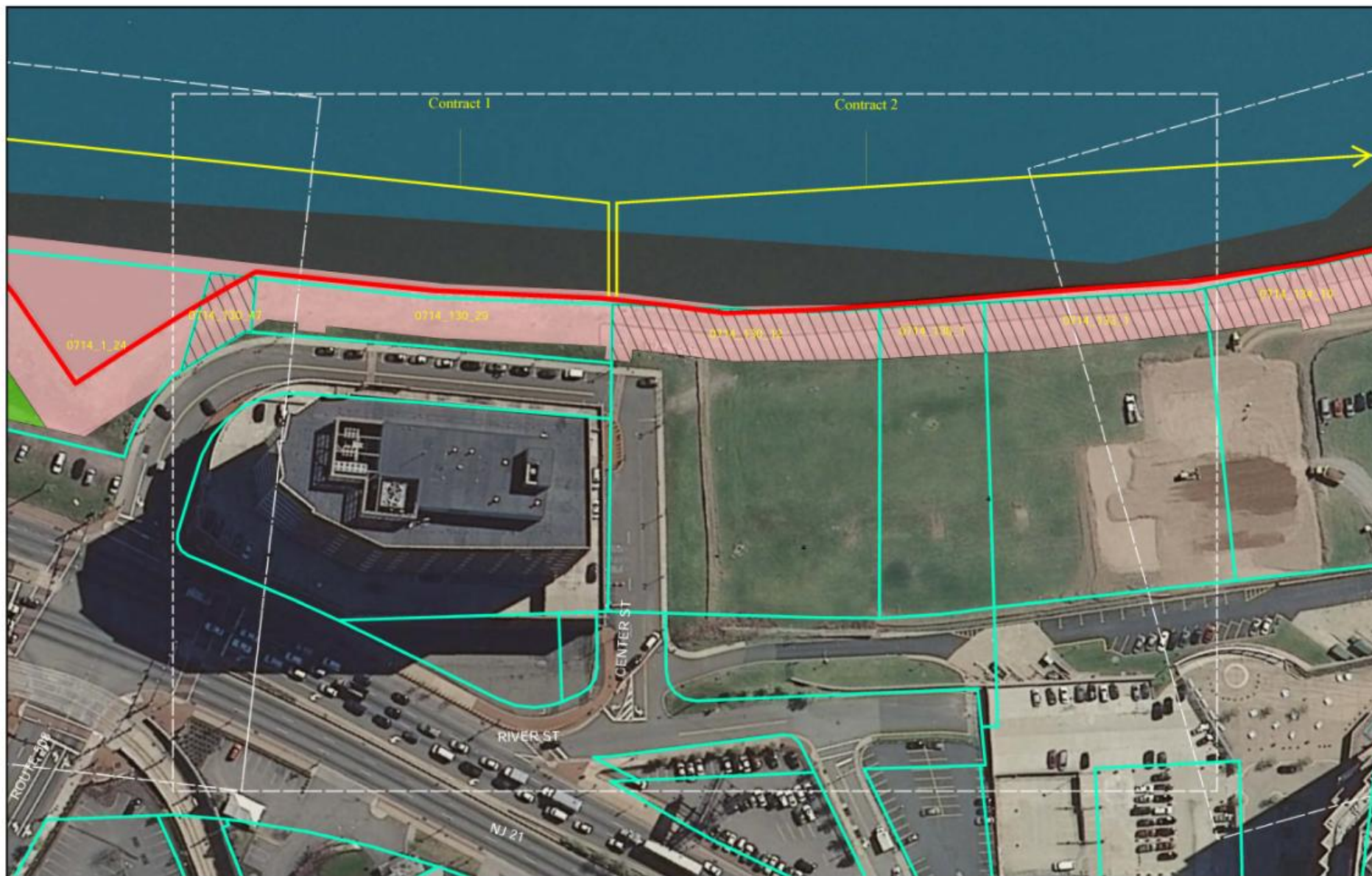


**Sheet Layout**

## **Legend**

- Existing Bulkhead
- Essex County Parcel Limits
- Bank Protection Easement
- Flood Protection Levee Easement
- Temporary Work Area Easement
- Federal Navigation Limits
- Easement Acquired by Sponsor

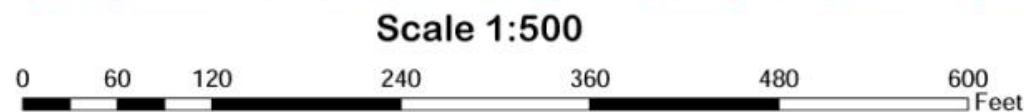




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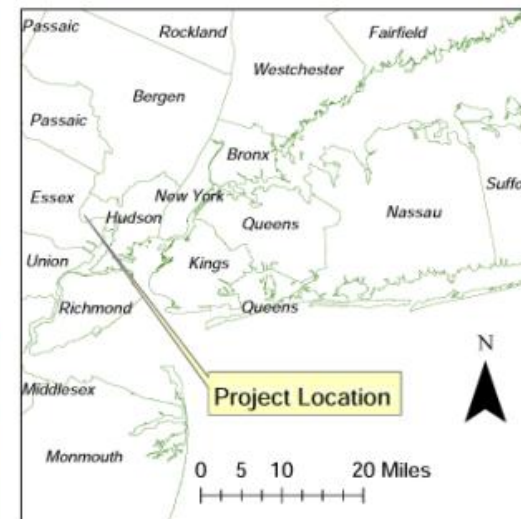
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Scale 1:500

July 25 2014

**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



**Location Map**

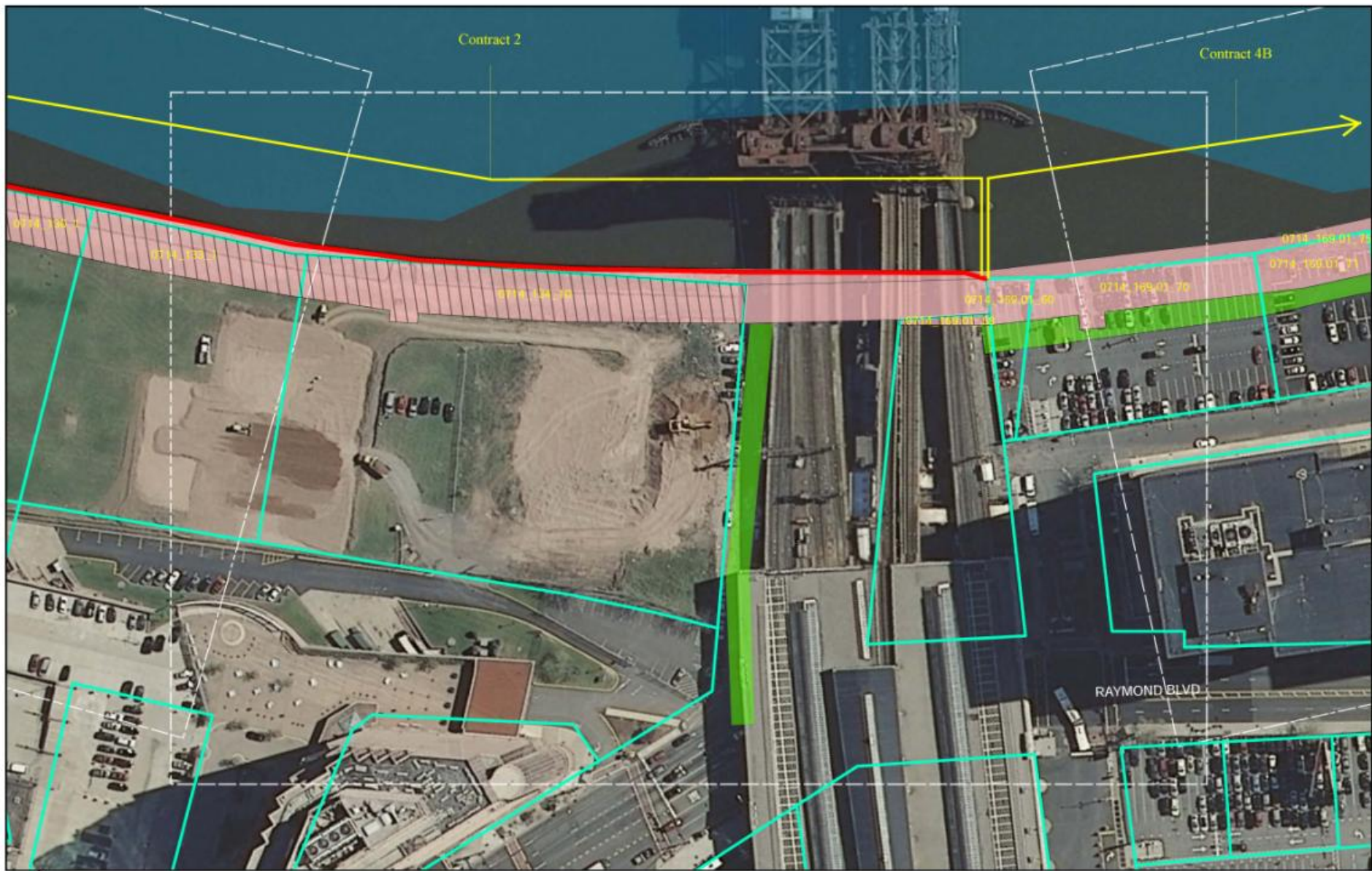


**Sheet Layout**

**Legend**

- Existing Bulkhead
- Essex County Parcel Limits
- Bank Protection Easement
- Flood Protection Levee Easement
- Temporary Work Area Easement
- Federal Navigation Limits
- Easement Acquired by Sponsor



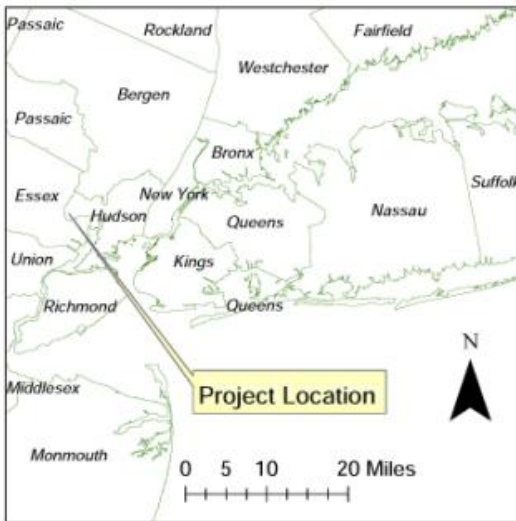


Sheet 5 of 12



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**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



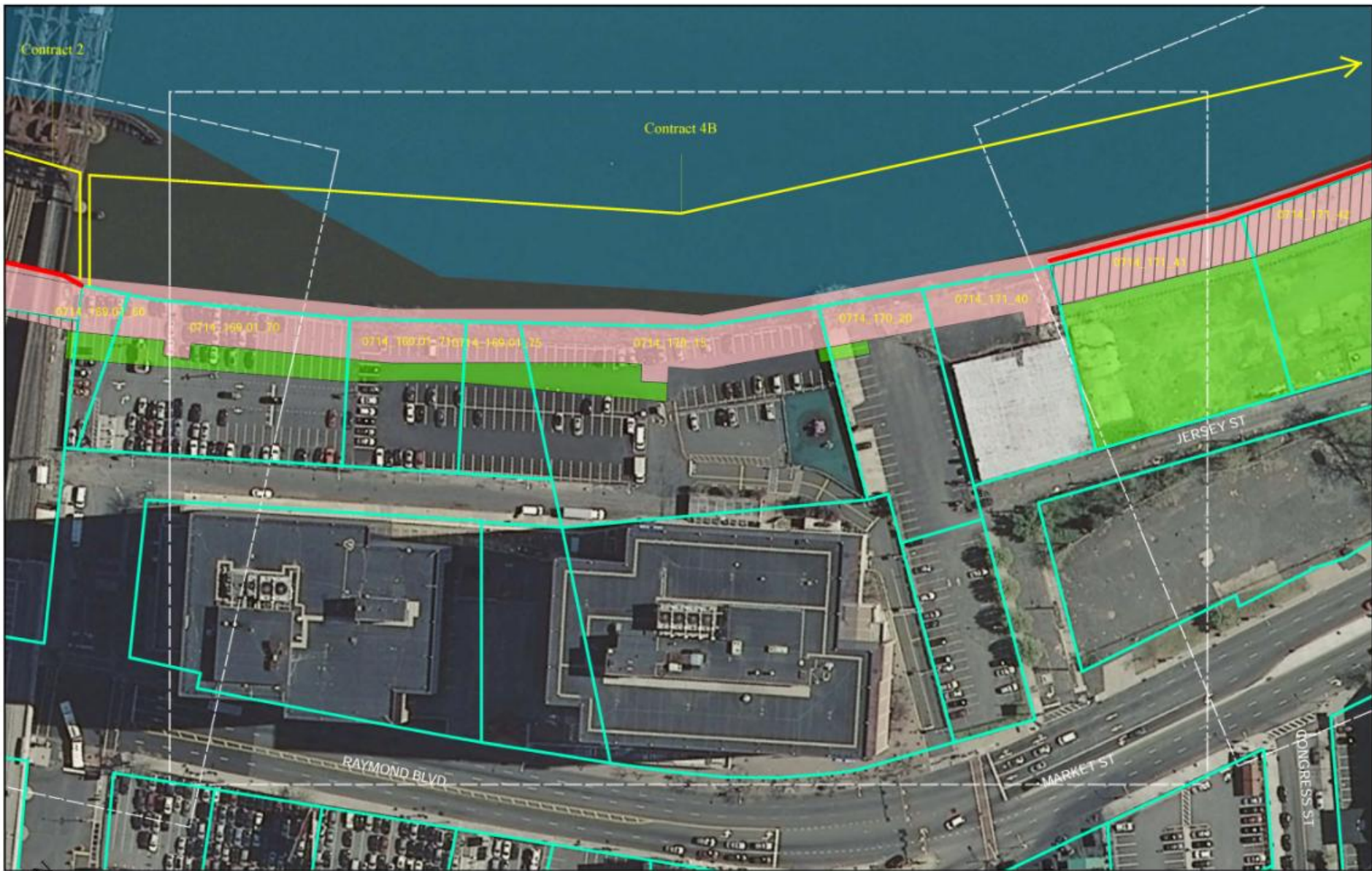
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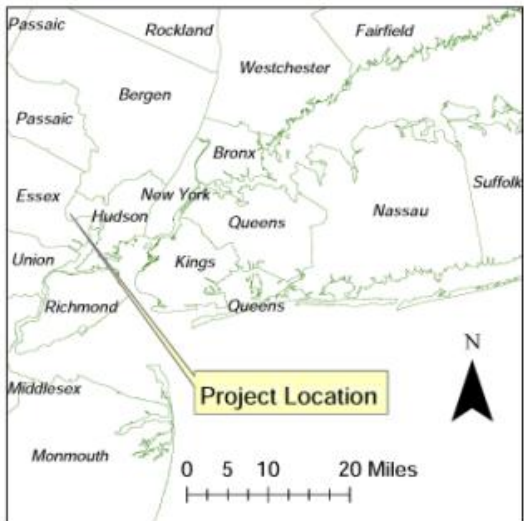


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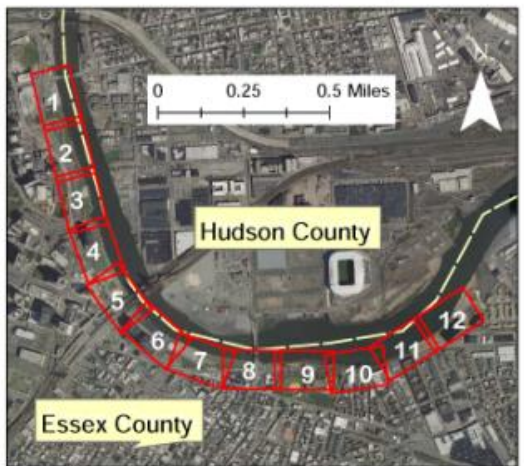


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# **Real Estate Map** **Joseph G. Minish Waterfront Park and Historic Site** **Streambank Restoration Project** **Essex County, Newark, New Jersey**



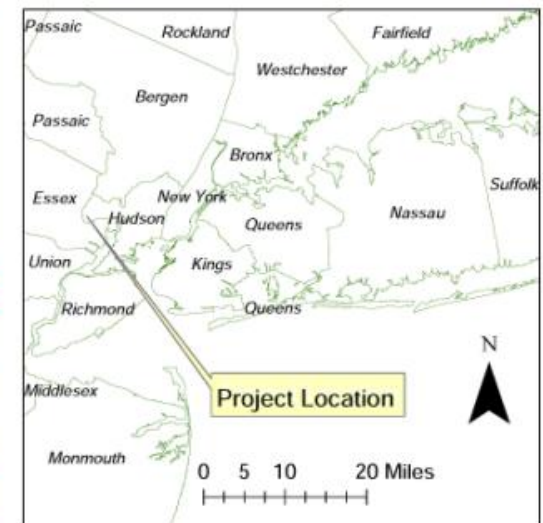
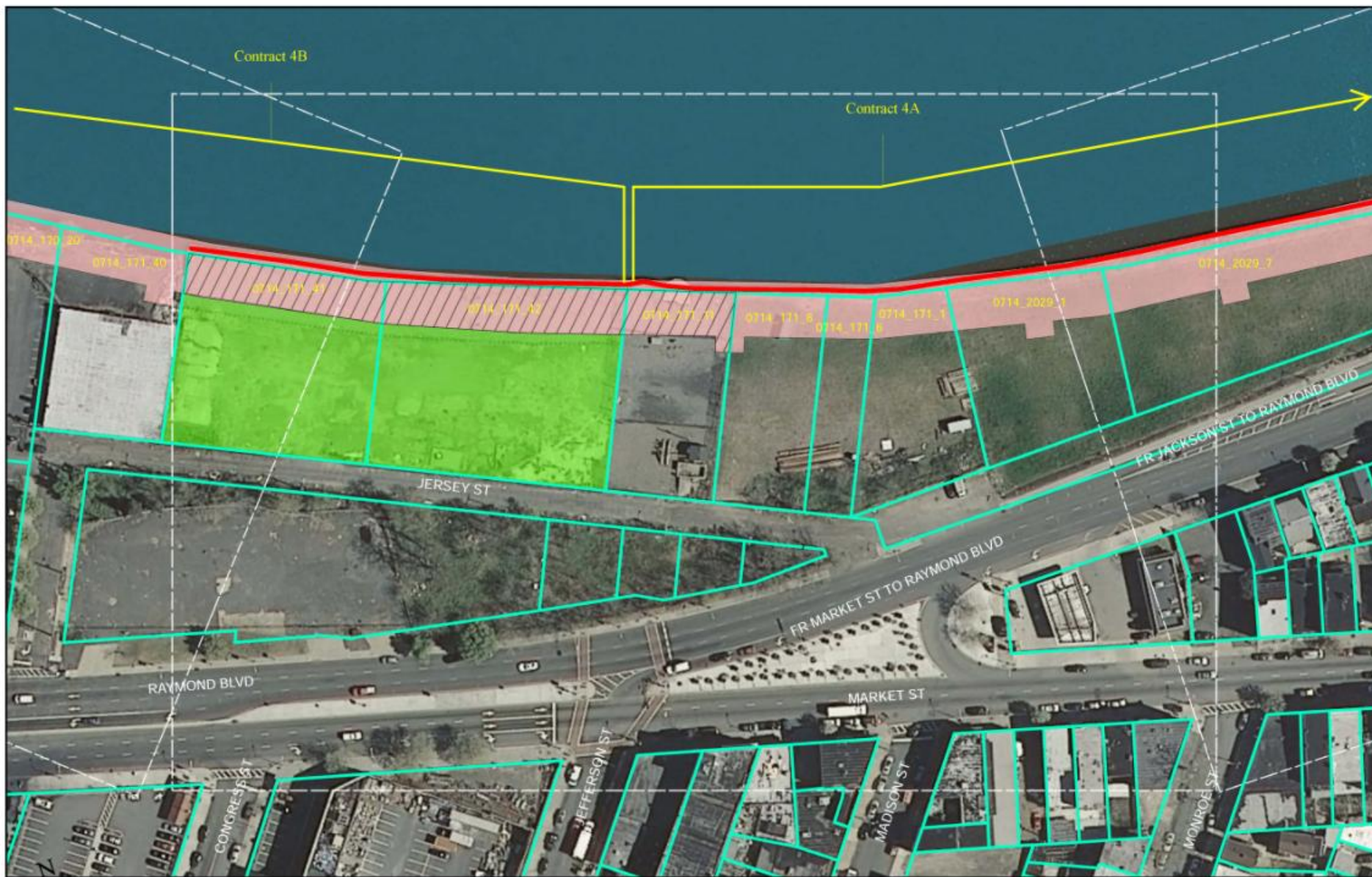
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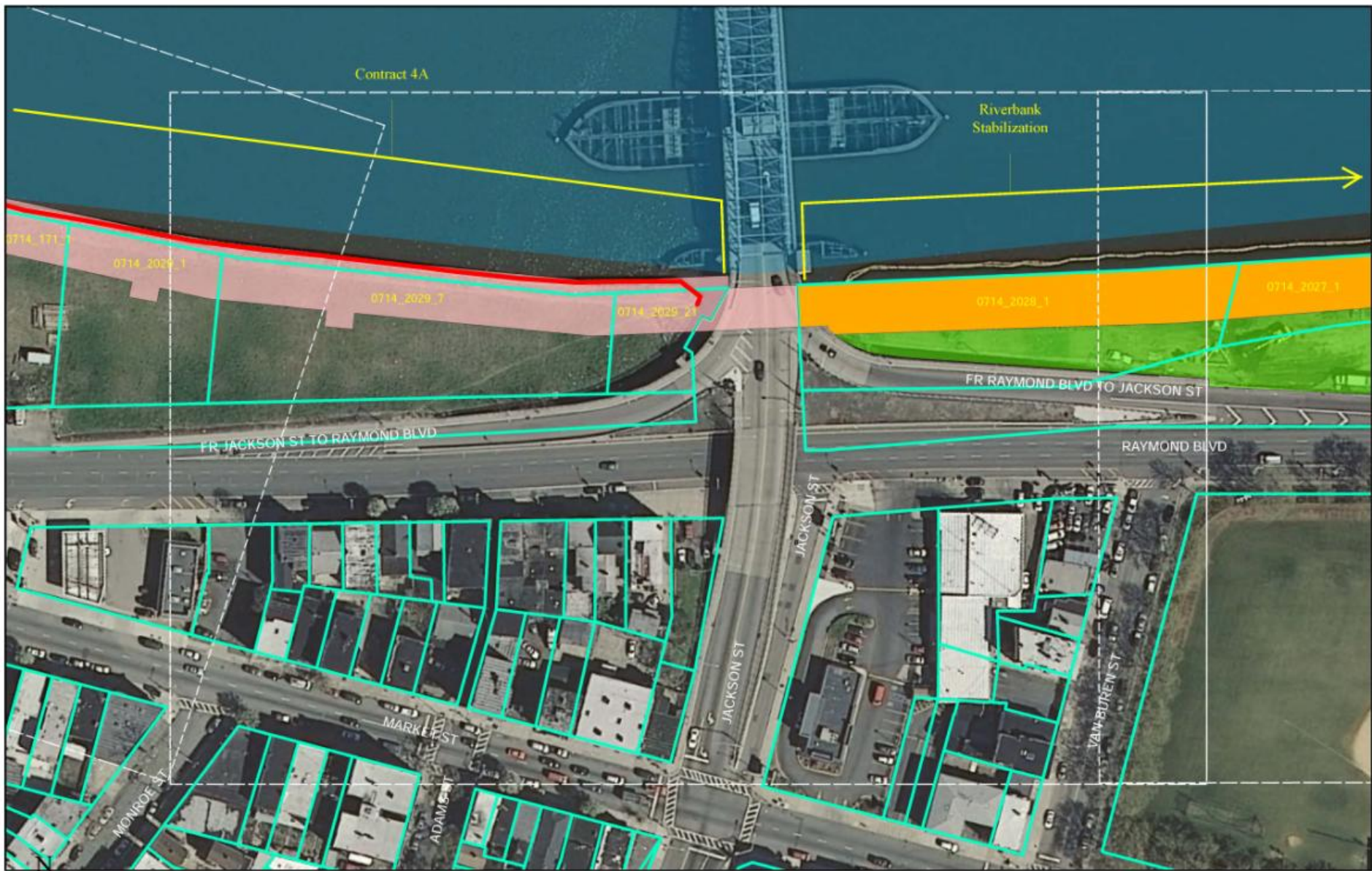
Location Map



Sheet Layout



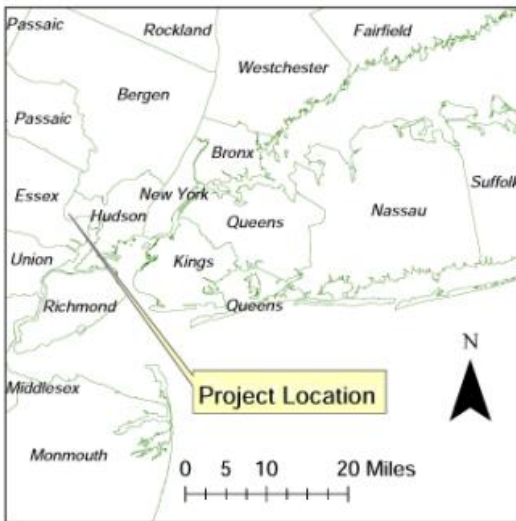




Sheet 8 of 12



**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



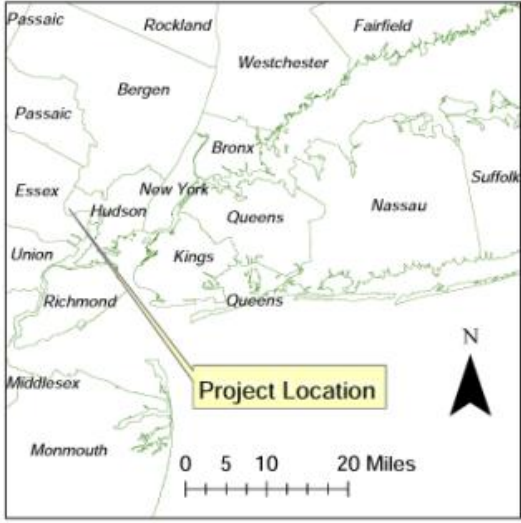
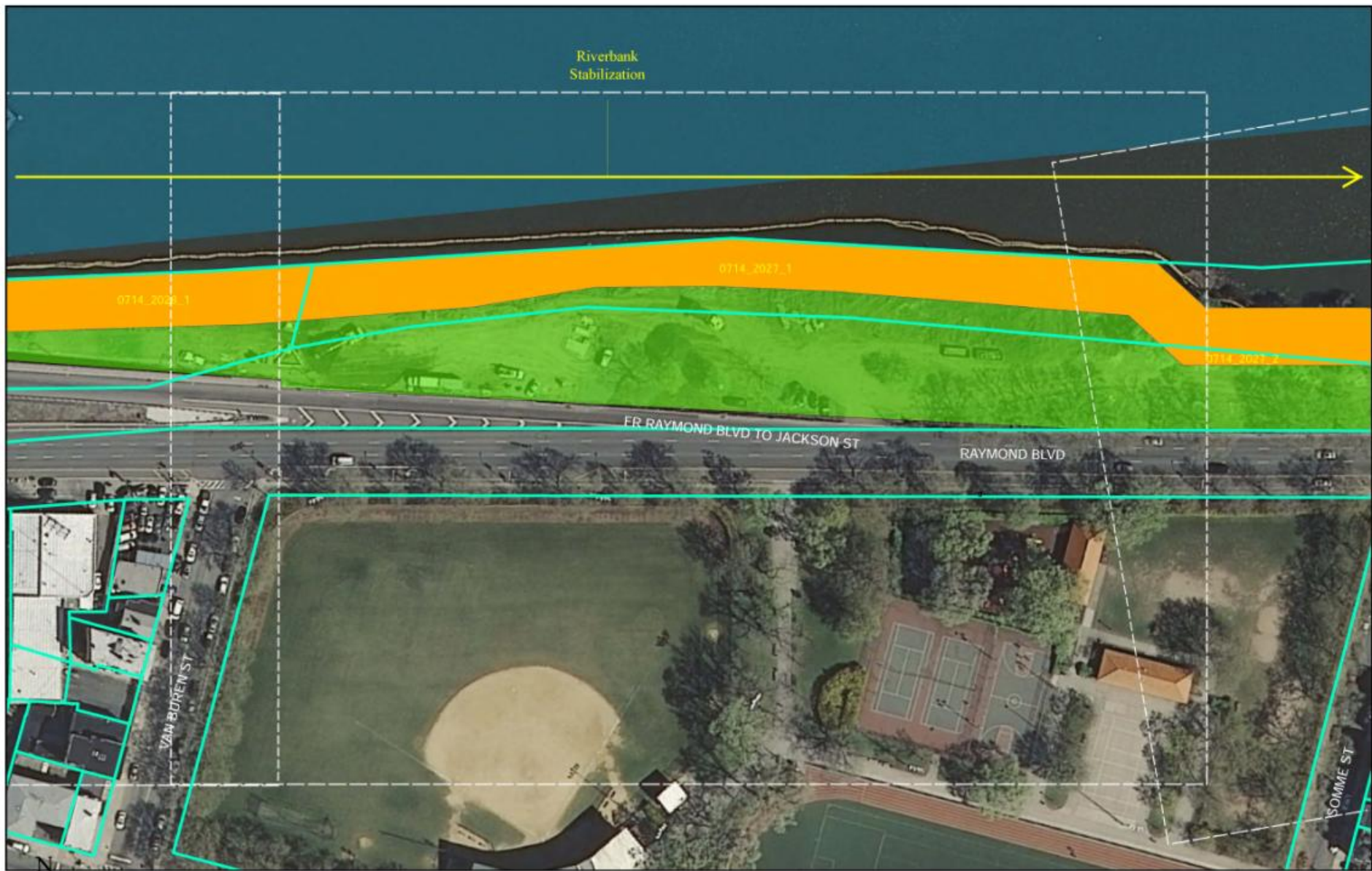
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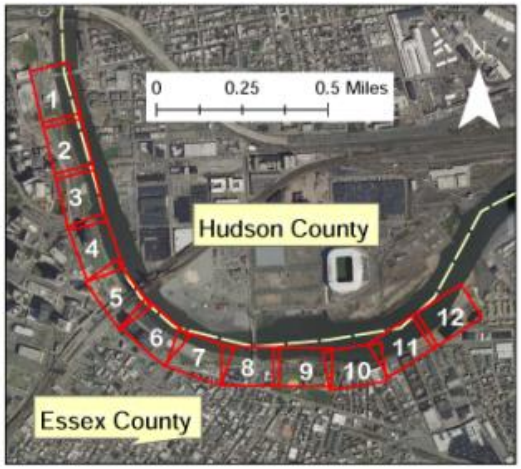
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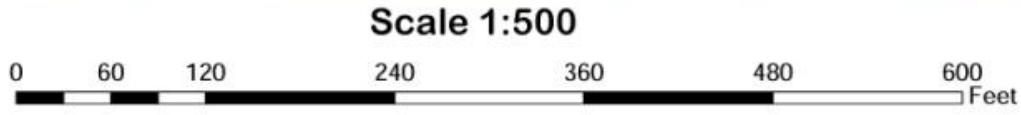




Location Map



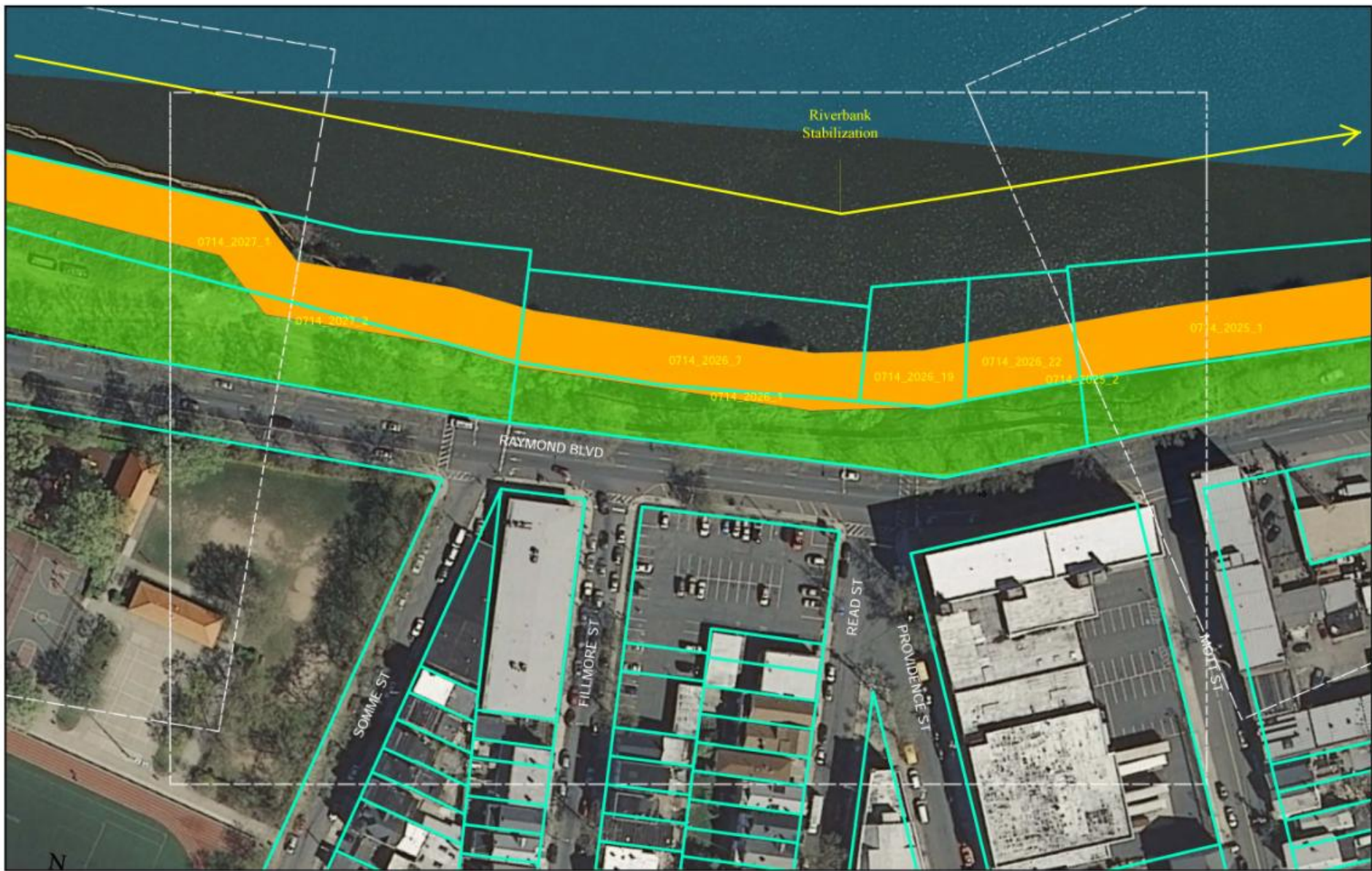
Sheet Layout



July 25 2014

**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**





Scale 1:500

July 25 2014

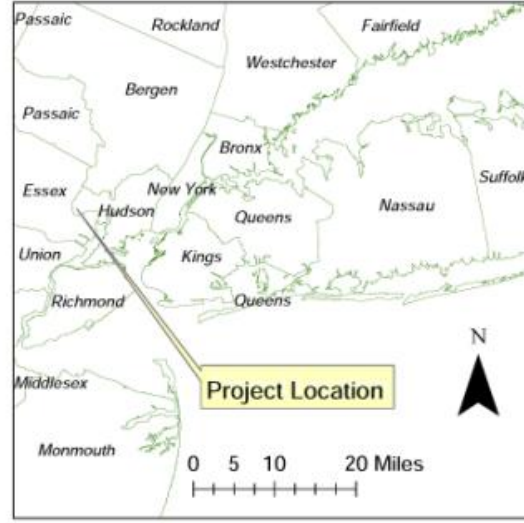


Sheet 10 of 12



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**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



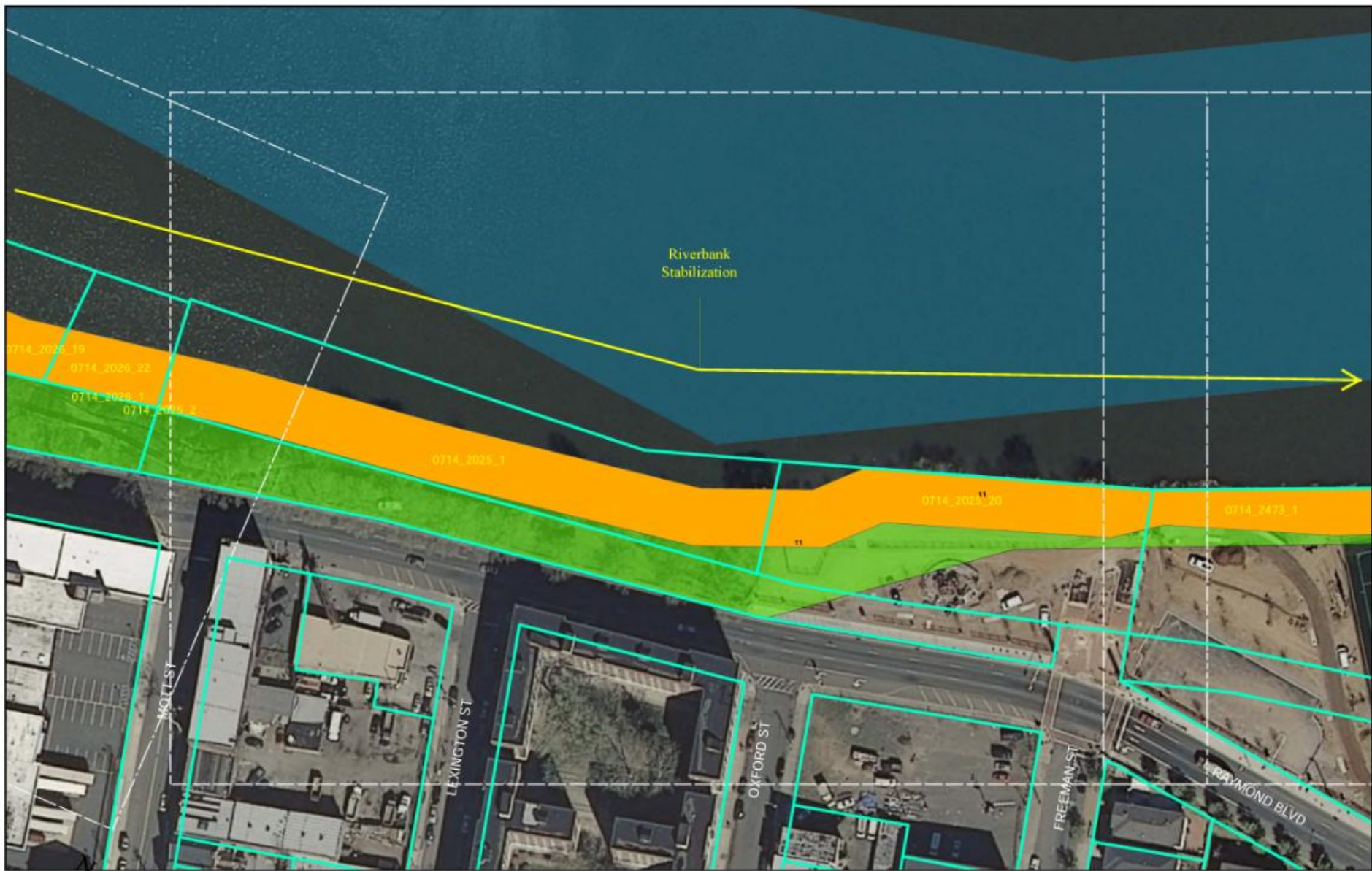
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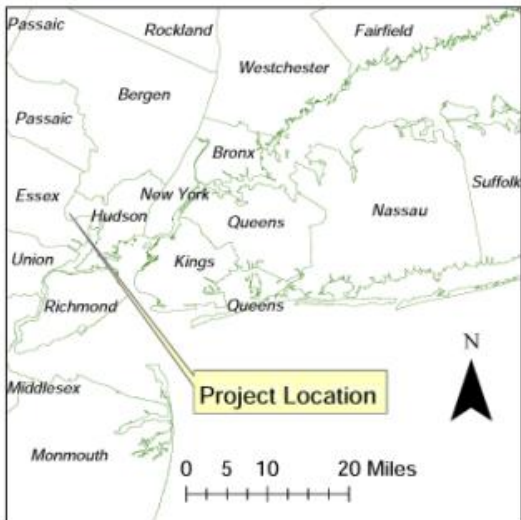
July 25 2014

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**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



**Location Map**

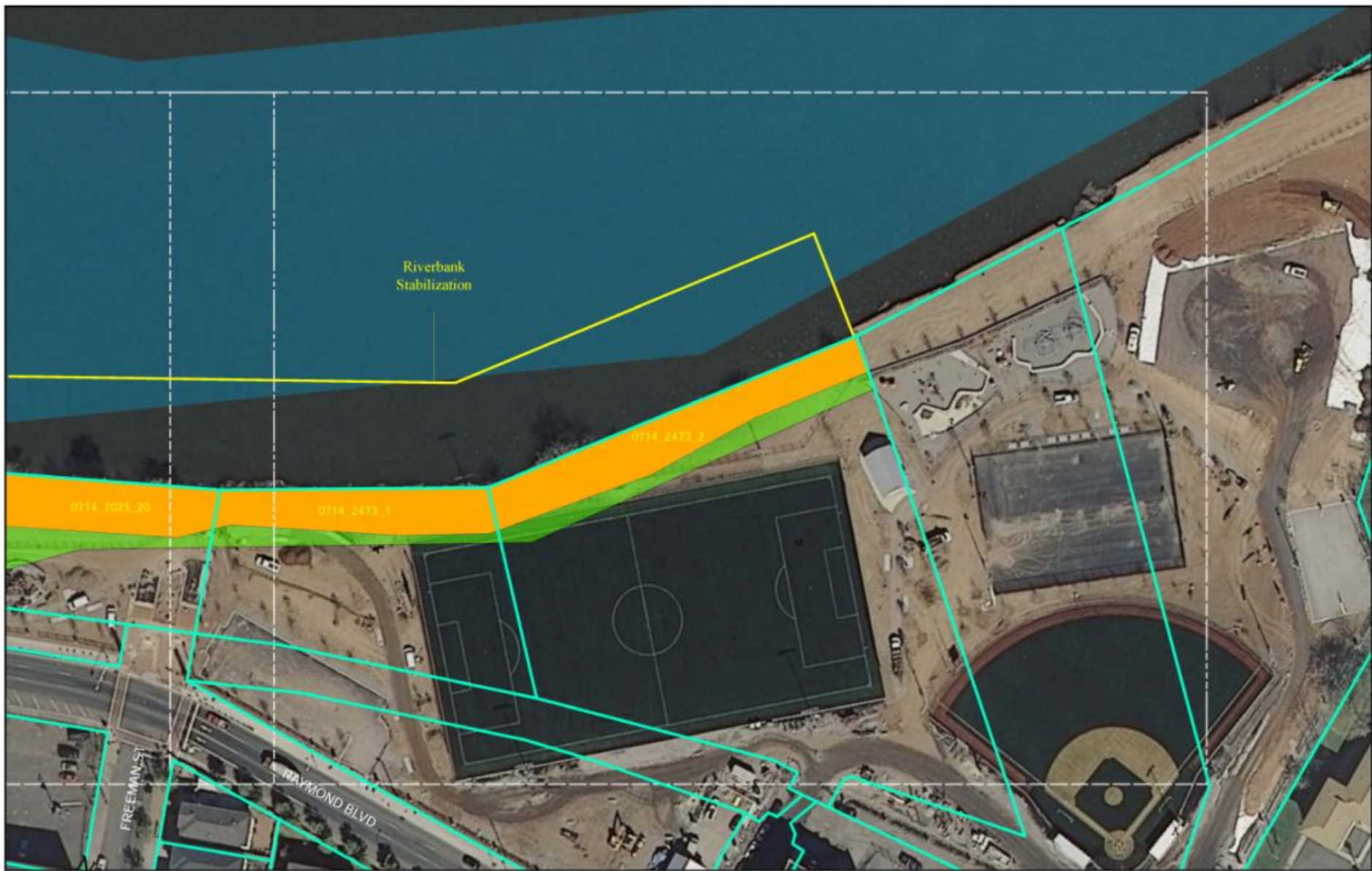


**Sheet Layout**

**Legend**

- Existing Bulkhead
- Essex County Parcel Limits
- Bank Protection Easement
- Flood Protection Levee Easement
- Temporary Work Area Easement
- Federal Navigation Limits
- Easement Acquired by Sponsor





Sheet 12 of 12

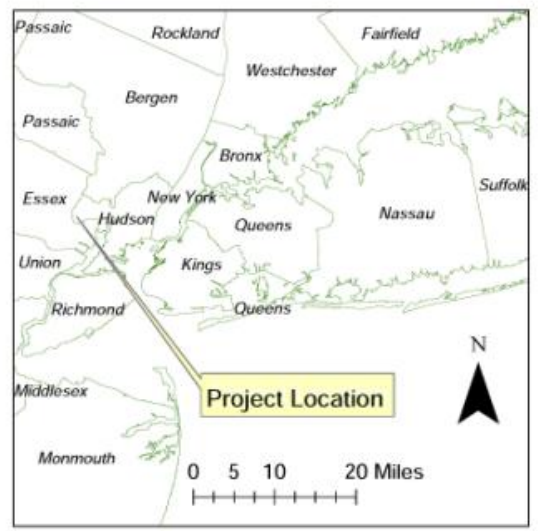


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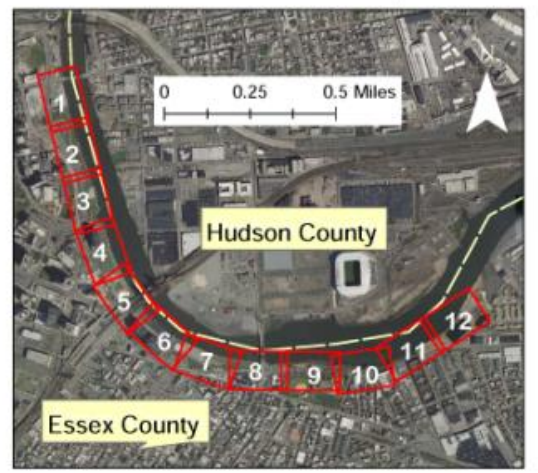


July 25 2014

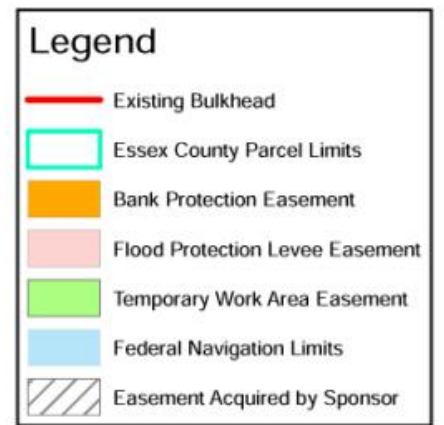
**Real Estate Map**  
**Joseph G. Minish Waterfront Park and Historic Site**  
**Streambank Restoration Project**  
**Essex County, Newark, New Jersey**



**Location Map**



**Sheet Layout**








# Exhibit "A-2"

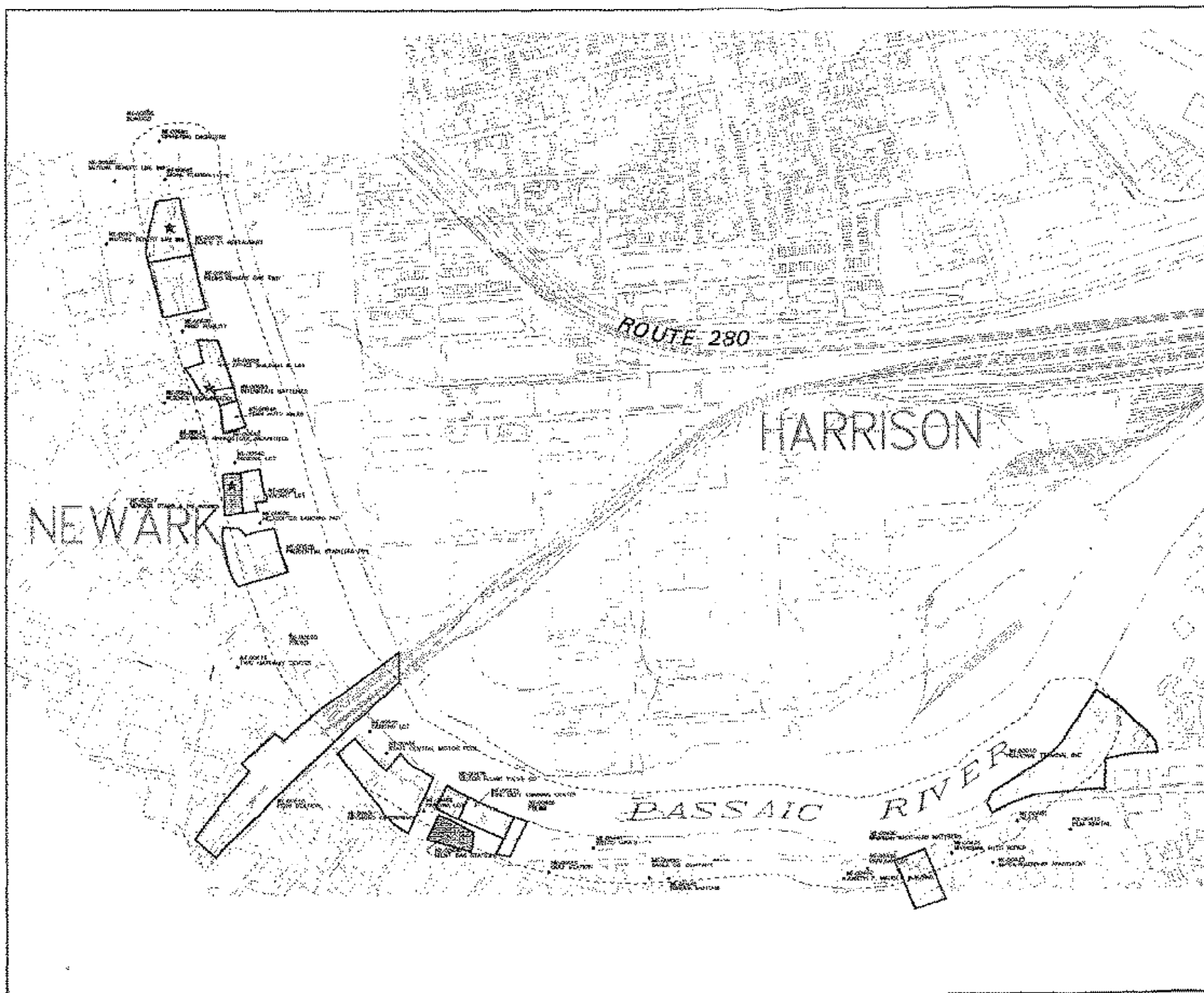
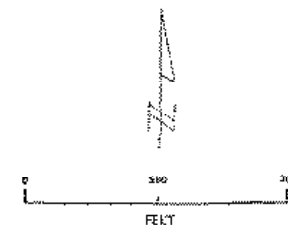
## HTRW Site Map

FIGURE I-1

### NEWARK STREAMBANK SITES

#### LEGEND

-  Known Sites
-  High Potential Sites
-  Low Potential Sites
-  300 Foot Buffer
-  Additional Information For This Area is Shown on Plate 1



**Exhibit “B-1”**

**LER Summary**

Exhibit “B-1”  
LER Summary

		Phase 1 Proposed Project Construction						Phase 1 Previously Constructed Project				
		Contract 3A	Contract 3B	Contract 4B	Streambank Restoration	Mitigation	Subtotal	Contract 1	Contract 2	Contract 4A	Subtotal	Totals
Number of Parcels	Privately-Owned	0	2	7	0	Not Identified	9	1	3	1	5	14
	Publicly-Owned	8	0	0	12	Not Identified	20	2	3	8	13	33
	Total	8	2	7	12	Not Identified	29	3	6	9	18	47
Fee (acres)		0	0	0	0	±1.68	±1.68	0	0	0	0	±1.68
Permanent Easements	Flood Protection Levee Easement (acres)	±1.28	±.47	±.71	±0	0	±2.46	±.76	±1.10	±1.06	±2.92	±5.38
	Bank Protection Easement (acres)	0	0	0	±3.46	0	±3.46	0	0	0	0	±3.46
Temporary Easements	Temporary Work Area Easement (acres)	±1.04	±1.32	±.26	±3.85	0	±6.47	±.46	±.004	±1.11	±1.57	±8.04
Total Acres		±2.32	±1.79	±.97	±7.31	±1.68	±14.07	±1.22	±1.104	±2.17	±4.49	±18.56
Total 01-Lands & Damages Costs		\$934,164	\$1,108,134	\$1,119,648	\$6,032,341	\$216,379	\$9,410,666	\$0	\$0	\$0	\$0	\$9,410,666
Total 30-Federal Review & Assistance Costs		\$36,600	\$14,400	\$50,400	\$84,600	\$14,400	\$202,200	\$7,200	\$14,400	\$21,600	\$43,200	\$245,400
Total LERRD Costs		\$970,764	\$1,122,534	\$1,170,048	\$6,118,741	\$230,779	\$9,612,866	\$7,200	\$14,400	\$21,600	\$43,200	\$9,656,066

\*Costs contain a 20% contingency

**Exhibit “B-2”**

**Parcel Data**



Exhibit “B-2”  
Parcel Data

Contract 1

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_130_1	Private	Matix/Newark City Dock LLC	Newark, NJ	0.5603	-	0.0899	-	-	-	✓
714_1_24	Public	City of Newark	8-12 Central St, Nutley, NJ	0.6187	-	0.4972	-	0.0693	-	-
714_1_30	Public	City of Newark	10-18 Passaic Pl, Nutley, NJ	0.5688	-	0.1769	-	0.3930	-	-

Exhibit “B-2”

Parcel Data

Contract 2

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_130_12	Private	Matix/Newark City Dock LLC	Newark, NJ	1.4806	-	0.2270	-	-	-	✓
714_133_1	Private	Matix/Newark City Dock LLC	Newark, NJ	1.1608	-	0.1771	-	-	-	✓
714_134_10	Private	Matix/Newark City Dock LLC	Newark, NJ	2.3975	-	0.3624	-	-	-	✓
714_130_29	Public	City of Newark	20-32 Centre Place, Newark, NJ	0.3180	-	0.2530	-	-	-	-
714_130_47	Public	City of Newark	14-18 Centre Place, Newark, NJ	0.0674	-	0.0673	-	-	✓	-
714_169.01_58	Public	City of Newark	1007-1015 Raymond Blvd, Newark, NJ	0.6944	-	0.0135	-	0.0047	✓	-

Exhibit “B-2”

Parcel Data

Contract 3A

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_1_30	Public	City of Newark	10-18 Passaic Pl, Nutley, NJ	0.5688	-	0.1769	-	0.3930	-	-
714_1_46	Public	City of Newark	930 McCarter Hwy, Newark, NJ	0.6853	-	0.1747	-	0.3502	-	-
714_1_60	Public	City of Newark	932-948 McCarter Hwy, Newark, NJ	0.3850	-	0.0890	-	0.1501	-	-
714_2_15	Public	State of New Jersey	970-972 McCarter Hwy, Newark, NJ	0.7771	-	0.3192	-	0.0150	-	-
714_2_27	Public	State of New Jersey	966-968 McCarter Hwy, Newark, NJ	0.3190	-	0.1149	-	0.0349	-	-
714_2_29	Public	State of New Jersey	950-964 McCarter Hwy, Newark, NJ	0.4936	-	0.1123	-	0.0819	-	-
714_3_1	Public	State of New Jersey	1008-1020 McCarter Hwy, Newark, NJ	0.1995	-	0.1492	-	0.0138	-	-
714_3_13	Public	State of New Jersey	1022-1052 McCarter Hwy, Newark, NJ	1.0568	-	0.1476	-	0.0012	-	-

Exhibit “B-2”

Parcel Data

Contract 3B

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_4_1	Private	PSEG	Newark, NJ	0.9073	-	0.1355	-	0.6332	-	-
714_4_9	Private	Seabra Brothers II	57-67 Bridge Street, Newark, NJ	2.1950	-	0.3332	-	0.6916	-	

Exhibit “B-2”

Parcel Data

Contract 4A

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_171_11	Private	PSE&G	12-18 Jersey Street, Newark, NY	0.3742	-	0.0861	-	-	✓	-
714_171_1	Public	State of New Jersey	Jersey Street, Newark, NJ	0.4806	-	0.0565	-	-	-	-
714_171_6	Public	State of New Jersey	2-4 Jersey Street, Newark, NJ	0.1734	-	0.0340	-	-	-	-
714_171_8	Public	State of New Jersey	6-10 Jersey Street, Newark, NJ	0.3228	-	0.0710	-	-	-	-
714_171_41	Public	City of Newark	34-48 Jersey Street, Newark, NJ	0.6198	-	0.1394	-	0.5052	✓	-
714_171_42	Public	City of Newark	20-32 Jersey Street, Newark, NJ	0.7947	-	0.1856	-	0.6081	✓	-
714_2029_1	Public	State of New Jersey	Newark, NJ	0.4333	-	0.1278	-	-	-	-
714_2029_7	Public	State of New Jersey	Newark, NJ	0.8579	-	0.2912	-	-	-	-
714_2029_21	Public	State of New Jersey	Newark, NJ	0.1565	-	0.0723	-	-	-	-

Exhibit “B-2”

Parcel Data

Contract 4B

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_169.01_60	Private	Commercial Street Properties LLC	48 Commercial Street, Newark, NJ	0.0331	-	0.0329	-	0.0168	-	-
714_169.01_70	Private	Commercial Street Properties LLC	50-66 Commercial Street, Newark, NJ	0.6973	-	0.1650	-	0.0964	-	-
714_169.01_71	Private	Hartz RB H Limited Partnership	68-74 Commercial Street, Newark, NJ	0.3011	-	0.0849	-	0.0383	-	-
714_169.01_75	Private	Hartz RB H Limited Partnership	76-82 Commercial Street, Newark, NJ	0.2475	-	0.0415	-	0.0265	-	-
714_170_15	Private	Hartz RB H Limited Partnership	943-965 Raymond Blvd, Newark, NJ	0.9770	-	0.2184	-	0.0680	-	-
714_170_20	Private	50-58 Jersey Street LLC	50-58 Jersey Street, Newark, NJ	0.4298	-	0.0742	-	0.0094	-	-
714_171_40	Private	Private	Newark, NJ	0.4321	-	0.0954	-	-	-	-

Exhibit “B-2”

Parcel Data

Riverbank Stabilization

Town_Block_Lot	Owner Type	Owner	Location	Approx. Lot Size	Fee	Flood Protection Levee Easement	Bank Protection Easement	Temporary Work Area Easement	Certified by the Sponsor	Easements Acquired, but not Certified by Sponsor
714_2025_1	Public	City of Newark	655-657 Raymond Blvd, Newark, NJ	1.2471	-	-	0.6177	0.0630	✓	-
714_2025_2	Public	County of Essex	617-657 Raymond Blvd, Newark, NJ	0.5461	-	-	-	0.5761	-	-
714_2025_20	Public	County of Essex	547-615 Raymond Blvd, Newark, NJ	12.1830	-	-	0.3541	0.2212	-	-
714_2026_1	Public	City of Newark	659-697 Raymond Blvd, Newark, NJ	0.6307	-	-	0.0456	0.5848	-	-
714_2026_7	Public	City of Newark	673-697 Raymond Blvd, Newark, NJ	0.6558	-	-	0.3037	-	✓	-
714_2026_19	Public	City of Newark	671 Raymond Blvd, Newark, NJ	0.1759	-	-	0.0990	-	✓	-
714_2026_22	Public	City of Newark	659-669 Raymond Blvd, Newark, NJ	0.1976	-	-	0.1120	-	✓	-
714_2027_1	Public	County of Essex	699-785 Raymond Blvd, Newark, NJ	1.5458	-	-	0.9903	0.3297	✓	-
714_2027_2	Public	City of Newark	703-809 Raymond Blvd, Newark, NJ	2.3369	-	-	0.0393	1.6551	-	-
714_2028_1	Public	City of Newark	787-815 Raymond Blvd, Newark, NJ	0.6986	-	-	0.3939	0.2229	✓	-
714_2473_1	Public	Public	Newark, NJ	0.9131	-	-	0.2045	0.0691	-	-
714_2473_2	Public	Public	Newark, NJ	2.6347	-	-	0.2976	0.1298	-	-

\*Parcels “Certified by the Sponsor” were acquired and certified for the construction of a bulkhead. The Sponsor is required to obtain Bank Protection Easements for the construction of the riverbank stabilization efforts and recertify the above parcels.

**Exhibit “B-3”**

**LER Acquired by the Non-Federal Sponsor**



**Exhibit “B-3”****LER Acquired by the Non-Federal Sponsor**

Town_Block_Lot	Property Owner	Certified by Sponsor	Easements Acquired, but not Certified by Sponsor
714_130_1	PSE&G Co.	-	✓
714_130_12	PSE&G Co.	-	✓
714_130_47	City of Newark	✓	-
714_169.01_58	City of Newark	✓	-
714_133_1	PSE&G Co.	-	✓
714_134_10	PSE&G Co.	-	✓
714_171_11	PSE&G Co.	✓	-
714_171_41	City of Newark	✓	-
714_171_42	City of Newark	✓	-
714_2025_1	City of Newark	✓	-
714_2026_7	City of Newark	✓	-
714_2026_29	City of Newark	✓	-
714_2026_22	City of Newark	✓	-
714_2027_1	County of Essex	✓	-
714_2028_1	City of Newark	✓	-

\*Eleven certified parcels were certified by the Sponsor by Authorization for Entry for Construction dated 8 Feb 10. Four permanent easements were acquired, but were not identified in the Authorization for Entry for Construction.

**Exhibit “C”**

**Standard Estates**

**Exhibit “C”**  
**Standard Estates**

**1) Fee (Standard Estate No. 1)**

The fee simple title to *[Block and Lot]* Subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

**2) Flood Protection Levee Easement (Standard Estate No. 9)**

A perpetual and assignable right and easement in *[Block and Lot]* to construct, maintain, repair, operate, patrol and replace a flood protection floodwall, including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

**3) Temporary Work Area Easement (Standard Estate No. 15)**

A temporary easement and right-of-way in, on, over and across *[Block and Lot]* for a period not to exceed twenty-four (24) months, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Joseph G. Minish Passaic River Waterfront Park and Historic Area Project together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

**4) Bank Protection Easement (Standard Estate No. 21)**

A perpetual and assignable easement and right-of-way in, on, over and across the land hereinafter described for the location, construction, operation, maintenance, alteration, repair, rehabilitation and replacement of a bank protection works, and for the placement of stone, riprap and other materials for the protection of the bank against erosion; together with the continuing right to trim, cut, fell, remove and dispose therefrom all trees, underbrush, obstructions, and other vegetation; and to remove and dispose of structures or obstructions within the limits of the right-of-way; and to place thereon dredged, excavated or other fill material, to shape and grade said land to desired slopes and contour, and to prevent erosion by structural and vegetative methods and to do any other work necessary and incident to the project; together with the right of ingress and egress for such work; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however to existing easements for public roads and highways, public utilities, railroads and pipelines.

**Exhibit “D”**

**Base Line Cost Estimate for Real Estate**

**Exhibit "D"**

**Base Line Cost Estimate for Real Estate**

JOSEPH G. MINISH PASSAIC RIVER WATERFRONT PARK AND HISTORIC AREA PROJECT TOTAL PROJECT REAL ESTATE Project Real Estate Costs (Cost-Shared 65%-35%)		01-Lands & Damages Costs	30-Federal Review & Assistance Costs	Project Real Estate Costs
	<b>Cost Summary:</b>			
	Incidental Costs (01A)	\$294,250	\$204,500	
	Real Estate Acquisition Costs (01B)	\$7,547,972	\$0	
	Subtotal:	\$7,842,222	\$204,500	
	20% Contingency:	\$1,568,444	\$40,900	
<b>01</b>	<b>TOTAL REAL ESTATE COSTS</b>	<b>\$9,410,666</b>	<b>\$245,400</b>	<b><u>\$9,656,066</u></b>
<b>01A</b>	<b>INCIDENTAL COSTS</b>	<b>\$294,250</b>	<b>\$204,500</b>	<b>\$498,750</b>
01A1	<b>Acquisition (Admin Costs)</b>	<b>\$89,000</b>	<b>\$52,000</b>	
01A1A	By Government (Gov't)		\$52,000	
01A1B	By Non-Federal Sponsor (NFS)	\$89,000		
01A1C	By Gov't on behalf of NFS			
01A2	<b>Survey</b>	<b>\$23,250</b>	<b>\$15,500</b>	
01A2A	By Gov't (In-house)			
01A2B	By Gov't (Contract)			
01A2C	By NFS	\$23,250		
01A2D	By Gov't on behalf of NFS			
01A2E	Review of NFS		\$15,500	
01A3	<b>Appraisal</b>	<b>\$52,000</b>	<b>\$26,000</b>	
01A3A	By Gov't (In-house)			
01A3B	By Gov't (Contract)			
01A3C	By NFS	\$52,000		
01A3D	By Gov't on behalf of NFS			
01A3E	Review of NFS		\$26,000	
01A4	<b>Title Services</b>	<b>\$130,000</b>	<b>\$13,000</b>	
01A4A	By Gov't (Contract)			
01A4B	By NFS	\$130,000		
01A4C	By Gov't on behalf of NFS			
01A4D	Review of NFS		\$13,000	
01A5	<b>Other Professional Services</b>	<b>\$0</b>	<b>\$0</b>	
01A5A	By the Gov't			
01A5B	By the NFS			
01A5C	By Gov't on behalf of NFS			
01A5D	Review of NFS			

**Exhibit "D"**

**Base Line Cost Estimate for Real Estate**

01A6	<b>Closing Cost (4% of Land Payments-01C1)</b>	<b>\$0</b>	<b>\$0</b>	
01A6A	By Gov't			
01A6B	By NFS			
01A6C	By Gov't on behalf of NFS			
01A7	<b>PL 91-646 Assistance</b>	<b>\$0</b>	<b>\$0</b>	
01A7A	By Government			
01A7B	By NFS			
01A7C	By Gov't on behalf of NFS			
01A7D	Review of NFS			
01A8	<b>Audit</b>	<b>\$0</b>	<b>\$98,000</b>	
01A8A	By Gov't		\$98,000	
01A9B	By NFS			
01B	<b>REAL ESTATE ACQUISITION COSTS</b>	<b>\$7,547,972</b>	<b>\$0</b>	<b>\$7,547,972</b>
01B1	<b>Land Payments</b>	<b>\$7,547,972</b>	<b>\$0</b>	<b>\$7,547,972</b>
01B1A	By Government			
01B1B	By NFS	\$7,547,972		
01B1C	By Gov't on behalf of NFS			
01B2	<b>Damage Payments</b>	<b>\$0</b>	<b>\$0</b>	
01B2A	By Government			
01C2B	By NFS			
01C2C	By Gov't on behalf of NFS			
01B3	<b>PL 91-646 Payment</b>	<b>\$0</b>	<b>\$0</b>	
01B3A	By Government			
01B3B	By NFS			
01B3C	By Gov't on behalf of NFS			
01B4	<b>Condemnation</b>	<b>\$0</b>	<b>\$0</b>	
01B4A	By NFS			
01B5	<b>Facility / Utility Relocations</b>	<b>\$0</b>	<b>\$0</b>	
01B5A	By NFS			
01B6	<b>Disposals</b>	<b>\$0</b>	<b>\$0</b>	
01B6A	By Government			
01B6B	By NFS			
01B6C	By Gov't on behalf of NFS			

**Exhibit “E”**

**Non-Federal Sponsor Capability Assessment Checklist**

Non-Federal Sponsor Capability Assessment Checklist

ASSESSMENT OF NON-FEDERAL SPONSOR'S  
REAL ESTATE ACQUISITION CAPABILITY

JOSEPH G. MINISH  
PASSAIC RIVER WATERFRONT PARK  
AND HISTORIC AREA PROJECT,  
NEWARK, NEW JERSEY

**I. Legal Authority.**

- a. Does the sponsor have legal authority to acquire and hold title to real property for project purposes? Yes
- b. Does the sponsor have the power of eminent domain for this project? Yes
- c. Does the sponsor have "quick-take" authority for this project? Yes
- d. Are any of the lands/interests in land required for the project located outside the sponsor's political boundary? No
- e. Are any of the lands/interests in land required for the project owned by an entity whose property the sponsor cannot condemn? No

**II. Human Resource Requirements.**

- a. Will the sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended? No
- b. If the answer to II.a is "yes," has a reasonable plan been developed to provide such training?
- c. Does the sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project? Yes
- d. Is the sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule? Yes
- e. Can the sponsor obtain contractor support, if required in a timely fashion? Yes
- f. Will the sponsor likely request USACE assistance in acquiring real estate? No



**Non-Federal Sponsor Capability Assessment Checklist**

**III. Other Project Variables.**

- a. Will the sponsor's staff be located within reasonable proximity to the project site? Yes
- b. Has the sponsor approved the project/real estate schedule/milestones? Yes

**IV. Overall Assessment.**

- a. Has the sponsor performed satisfactorily on other USACE projects? Yes
- b. With regard to this project, the sponsor is anticipated to be: highly capable/fully capable/moderately capable/marginally capable/insufficiently capable. If sponsor is believed to be "insufficiently capable," provide explanation. Highly Capable.

**V. Coordination.**

- a. Has this assessment been coordinated with the sponsor? Yes
- b. Does the sponsor concur with this assessment? The Sponsor provided no response or comments to the assessment. The assessment was completed based on current and past real estate acquisition capabilities and performances of the sponsor on other Corps water resource (Civil Works) projects.

  
NOREEN DEAN DRESSER  
Chief, Real Estate Division  
New York District US Army Corps of Engineers  
Real Estate Contracting Officer

**Exhibit “F”**

**Non-Federal Sponsor’s  
Authorization for Entry for Construction dated 8 February 2010**

Exhibit "F"

Non-Federal Sponsor's  
Authorization for Entry for Construction dated 8 February 2010



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NATURAL & HISTORIC RESOURCES  
Office of Engineering & Construction

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

BOB MARTIN  
*Commissioner*

June 16, 2010

Mr. Anthony Ciorra  
Chief, Civil Projects  
Department of the Army  
New York District, Corps of Engineers  
CENAN-PP-C  
26 Jacob K. Javits Federal Building  
New York, New York 10278-0090

Re: Project 6051 Joseph G. Minish Passaic River Waterfront Park & Historic Area, Newark,  
New Jersey.

Dear Mr. Ciorra:

Enclosed please find the executed Authorization for Entry for Construction for the Joseph  
G. Minish Passaic River Waterfront Park & Historic Area, Newark, New Jersey Project.

If you have any questions or need additional information please contact me at (732) 255-  
0770.

Sincerely,

A handwritten signature in black ink that reads "Benjamin Keiser".

Benjamin Keiser  
Manager  
Bureau of Coastal Engineering

c: The Honorable Cory Booker, Mayor, City of Newark  
Robert Marasco, Clerk, City of Newark  
Damon Rich, Urban Planner, City of Newark  
Richard Siegel, Chief, Governmental Affairs Section, City of Newark  
Lisa Baron, Project Manager, USACE, NY District  
David Rosenblatt, Administrator, OEC  
William Dixon, Supervising Environmental Specialist, BCE

Exhibit "F"

Non-Federal Sponsor's  
Authorization for Entry for Construction dated 8 February 2010



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL & HISTORIC RESOURCES  
Office of Engineering & Construction

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Acting Commissioner

**AUTHORIZATION FOR ENTRY FOR CONSTRUCTION**

I, David Rosenblatt, Administrator, Office of Engineering and Construction for the State of New Jersey Department of Environmental Protection (NJDEP), do hereby certify that the NJDEP has acquired the real property interests required by the Department of the Army, and otherwise is vested with sufficient title and interest in lands, to support construction of the Joseph G. Minish Passaic River Waterfront Park and Historic Area, Newark, New Jersey. Further, I hereby authorize the Department of the Army, its agents, employees and contractors, to enter upon the tracts identified in Exhibit A, attached hereto, to construct the Joseph G. Minish Passaic River Waterfront Park and Historic Area, Newark, New Jersey as set forth in the plans and specifications held in the U.S. Army Corps of Engineers New York District Office, New York, New York.

WITNESS my signature as Administrator, Office of Engineering and Construction for the State of New Jersey, Department of Environmental Protection this 8 day of February, 2010.

BY:

David Rosenblatt  
Administrator

**ATTORNEY'S CERTIFICATE OF AUTHORITY**

I, Dean Jablonski, Deputy Attorney General for the State of New Jersey, Department of Environmental Protection (NJDEP) certify that the NJDEP has authority to grant the above Authorization for Entry; that said Authorization for Entry is executed by the proper duly authorized officer; and that the Authorization for Entry is in sufficient form to grant the authorization therein stated.

WITNESS my signature as Deputy Attorney General for the State of New Jersey, Department of Environmental Protection this 31 day of ~~February~~ March, 2010.

BY:

Dean Jablonski  
Deputy Attorney General

1510 Hooper Avenue, Suite 140, Toms River, New Jersey 08753

Tel: (732) 255-0770 - Fax: (732) 255-0774

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**Exhibit "F"**

**Non-Federal Sponsor's  
Authorization for Entry for Construction dated 8 February 2010**

**Exhibit A**

**Joseph G. Minish Passaic River Waterfront Park & Historic Area, Newark, New Jersey**

**Block**

**Lot(s)**

130	47 J
169.01	58 ✓
171	✓ 11, 41, 42
2025	1 ✓ ✓
2026	✓ 7, 19, 22
2027	1 ✓
2028	1 ✓

**Exhibit “G”**

**Declaration of Encumbrance**

# Exhibit "G"

## Declaration of Encumbrance

<b>RECORDING INFORMATION SHEET</b>		<b>ESSEX COUNTY REGISTER'S OFFICE</b> <b>HALL OF RECORDS , ROOM 130</b> <b>465 MARTIN LUTHER KING Jr. Blvd</b> <b>NEWARK NJ 07102</b>																	
INSTRUMENT NUMBER: <b>11077227</b>	DOCUMENT TYPE : <b>DEED</b>																		
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <b>Official Use Only</b>             PHILIP THIGPEN, REGISTER            ESSEX COUNTY, NJ             INSTRUMENT NUMBER            11077227            RECORDED ON            November 3, 2011 09:41 am            BOOK:12334 PAGE:7991   <div style="text-align: right;">LJ</div> </div> <div>           CONSIDERATION (G) \$0.00             MAIL COPY _____            NO COPY _____            ENVELOPE _____             ADDITIONAL STAMPINGS _____         </div>	<div> <b>Return Address (for recorded documents)</b>            DEPARTMENT OF ENVIROMENTAL PROTECT            GREEN ACRES PROGRAM             P.O. BOX 412            TRENTON NJ 08625-0412         </div> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 70%; padding: 2px;"><b>No. Of Pages (excluding Summary Sheet)</b></td> <td style="width: 30%; padding: 2px; text-align: right;">14</td> </tr> <tr> <td style="padding: 2px;"><b>Recording Fee (excluding Transfer Tax)</b></td> <td style="padding: 2px; text-align: right;">\$8.00</td> </tr> <tr> <td style="padding: 2px;"><b>Realty Transfer Tax</b></td> <td style="padding: 2px; text-align: right;">\$0.00</td> </tr> <tr> <td style="padding: 2px;"><b>Amount Charged (Charge)</b></td> <td style="padding: 2px; text-align: right;">\$8.00</td> </tr> <tr> <td style="padding: 2px;"><b>Municipality</b></td> <td style="padding: 2px;">NEWARK</td> </tr> <tr> <td style="padding: 2px;"><b>Parcel Information</b></td> <td style="padding: 2px;"> <b>Block</b> 4063*  <b>Lot</b> 6*         </td> </tr> <tr> <td style="padding: 2px;"><b>First Party Name</b></td> <td style="padding: 2px;">NEWARK,CITY OF</td> </tr> <tr> <td style="padding: 2px;"><b>Second Party Name</b></td> <td style="padding: 2px;">ENVIRONMENTAL PROTECT,DEPT NJ</td> </tr> </table> <div style="border: 1px solid black; height: 150px; margin-top: 10px; width: 100%;"></div>			<b>No. Of Pages (excluding Summary Sheet)</b>	14	<b>Recording Fee (excluding Transfer Tax)</b>	\$8.00	<b>Realty Transfer Tax</b>	\$0.00	<b>Amount Charged (Charge)</b>	\$8.00	<b>Municipality</b>	NEWARK	<b>Parcel Information</b>	<b>Block</b> 4063* <b>Lot</b> 6*	<b>First Party Name</b>	NEWARK,CITY OF	<b>Second Party Name</b>	ENVIRONMENTAL PROTECT,DEPT NJ
<b>No. Of Pages (excluding Summary Sheet)</b>	14																		
<b>Recording Fee (excluding Transfer Tax)</b>	\$8.00																		
<b>Realty Transfer Tax</b>	\$0.00																		
<b>Amount Charged (Charge)</b>	\$8.00																		
<b>Municipality</b>	NEWARK																		
<b>Parcel Information</b>	<b>Block</b> 4063* <b>Lot</b> 6*																		
<b>First Party Name</b>	NEWARK,CITY OF																		
<b>Second Party Name</b>	ENVIRONMENTAL PROTECT,DEPT NJ																		
***** <b>DO NOT REMOVE THIS PAGE.</b> ***** <b>COVER SHEET (DOCUMENT SUMMARY FORM) IS PART OF ESSEX COUNTY FILING RECORD</b> ***** <b>RETAIN THIS PAGE FOR FUTURE REFERENCE.</b> *****																			

**Exhibit "G"**  
**Declaration of Encumbrance**

DECLARATION OF ENCUMBRANCE

NEWARK CITY  
Essex County

TO

THE STATE OF NEW JERSEY  
Department of Environmental Protection

Record and return to:

Department of Environmental Protection  
Green Acres Program  
P.O. Box 412  
Trenton, New Jersey 08625-0412

Attention: Cathy Elliott-Shaw

Prepared by:  
Cathy Elliott-Shaw  
Cathy Elliott-Shaw

2/10/99  
Forms/encagt



Declaration of Encumbrance

DECLARATION OF ENCUMBRANCE

This Declaration of Encumbrance is made this 28<sup>th</sup> day of October, 2011, by the City of Newark, County of Essex, ("Local Government Unit"), whose mailing address is 920 Broad Street, Room 205 Newark, NJ 07102.

The Local Government Unit makes this Declaration in consideration of the State of New Jersey, Department of Environmental Protection, Green Acres Program's agreement to provide funding in connection with:

Mildred Helms Park  
Project # 0714-02-018  
As approved on August 1, 2002

Nat Turner Park Development Project  
Project # 0714-06-026  
As approved on July 28, 2006

The attached exhibit to this Declaration is labeled "Recreation and Open Space Inventory," comprising 11 pages. This exhibit is incorporated into, and forms a part of this Declaration.

The Local Government Unit represents and warrants (a) that all lands described in the exhibit attached to this Declaration are held by it for recreation and conservation purposes, and (b) in accordance with N.J.S.A. 13:8A-1 et seq., N.J.S.A. 13:8A-19 et seq., N.J.S.A. 13:8A-35 et seq., N.J.A.C. 7:36-1 et seq., and all of the Green Acres Bond Acts (collectively, the "Green Acres Laws"), covenants, agrees, and declares that all lands described on the exhibit attached to this Declaration are subject to the covenants, restrictions, and conditions described in the Green Acres Laws, and further agrees that:

1. The Local Government Unit shall not dispose of or divert to a use for other than recreation and conservation purposes any lands described in the exhibit attached to this Declaration without the approval of the Commissioner and State House Commission.
2. Should lands held by the Local Government Unit for recreation or conservation purposes be, by mistake or inadvertence, omitted from the exhibit attached to this Declaration, such lands shall be subject to the terms and conditions of this Declaration to the same extent as though they had been included.

Exhibit "G"

Declaration of Encumbrance

LOCAL GOVERNMENT UNIT ATTORNEY

Reviewed and approved

on 10/28, 20 11

[Signature]  
(signature)

Anna Pereira, Corporation Counsel  
(print name)

LOCAL GOVERNMENT UNIT CHIEF  
EXECUTIVE OFFICER

By: [Signature]  
(signature)

Julien X. Neals, Business Administrator  
(print name and title)

Date: 10/27/11

STATE OF NEW JERSEY

COUNTY OF ESSEX

I CERTIFY that on Oct 28, 2011 Julien X. Neals personally came before me,  
(date) (official designated above)

ROBERT P. MARASCO and stated to my satisfaction that he/she is the individual  
(clerk)  
who signed this Declaration and that he/she

- a. is authorized to execute this Declaration, and  
b. executed this Declaration as his/her own act, and as the act of the  
City of Newark represented by him/her as  
(local government unit)  
B.A.  
(official's title)

[Signature]  
(signature) Clerk ROBERT P. MARASCO  
(print name and title below) City Clerk

10/28/11

Declaration of Encumbrance

Page 1 of 11

EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

A Local Unit which receives a loan or grant from the State of New Jersey, Office of Green Acres shall not dispose of, or divert to a use for other than recreation and conservation purposes, any lands (1) acquired or developed with Green Acres or Federal Land and Water Conservation Fund assistance or (2) held by the Local Unit for recreation and conservation purposes at the "time of receipt of Green Acres funds" (the restricted lands) N.J.S.A. 13:8A-47. The primary purposes of this recreation and open space inventory (ROSI) are to document all restricted lands and to provide notice of the restrictions to title searchers.

**Instructions**

All restricted lands must be described on the completed ROSI by their block and lot identification numbers as shown on the current, official tax map and specify whether or not each parcel is funded or unfunded parkland. The Local Unit shall submit a tax map current as of the date of Green Acres application showing each parcel of parkland listed on the ROSI, with the approximate boundaries of each such parcel clearly marked in colored ink. Staff knowledgeable of the Local Unit's land use regulations and the uses of its land holdings must complete this ROSI. If only a portion of a current tax lot is to be restricted, the phrase *part of or portion of* shall be used on the ROSI. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Office of Green Acres (See N.J.A.C. 7:36-20.3).

The completed ROSI must be duly executed and certified by the Local Unit's Chief Executive Officer and planning board chairperson (or equivalent). The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page.

All pages, including this Page 1 and the following Page 2, of the ROSI must be submitted.

**Special Notes**

Lands held by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Unit.

If lands held by the Local Unit for recreation and conservation purposes are omitted from this ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. This ROSI, as completed and duly executed, shall be incorporated into, and be a part of, both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.

**Recommendations**

The Local Unit's planning board, and other boards or commissions, are encouraged to participate in the preparation and review of this ROSI. When preparing the ROSI, the listed parcels of parkland should be confirmed by reference to the tax maps that are required to be submitted as part of the Green Acres application (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii).

The Local Unit's governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan.

The Local Unit's governing body should officially and permanently dedicate all lands held for recreation and conservation purposes. However, failure to do so shall have no effect on the validity of the Declaration.

Rev. 1/29/99

Declaration of Encumbrance

Page 2 of 11

EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

*Definitions*

For the purposes of this ROSI, the following definitions shall apply whenever the quoted words, or a form of the word are used:

"Declaration" means the recordable, written instrument executed by the Local Unit which declares that all of the Local Unit's funded and unfunded parklands are subject to Green Acres restrictions.

"Development" means any improvement or physical alteration designed to expand or enhance the use of parkland for recreation and conservation purposes.

"Funded parkland" means parkland that a Local Unit has acquired or that a Local Unit has developed with Green Acres funding.

"Held" means owned, leased, or otherwise controlled (by the Local Unit for recreation and conservation purposes).

"Lands" means real property, including improvements, rights-of-way, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

"Local Unit" means a municipality or county, or other local political subdivision of this State, or any agency thereof whose primary purpose is to acquire, administer, protect, develop, and maintain lands for recreation and conservation purposes.

"Parkland" means land acquired, developed, and/or used for recreation and conservation purposes.

"Recreation and conservation purposes" means the use of lands for parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres Bond Acts. This term also includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88 and P.L. 1995, c.204; and the use of ecological and biological study areas pursuant to P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204.

"ROSI" mean the listing of all parcels of land held by a Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds, including a description sufficient to identify each such parcel.

"Time of receipt of Green Acres funds" means at all times beginning on the date of the letter from the Department under N.J.A.C. 7:36-6.7 or 12.5 notifying the Local Unit of the amount of the Green Acres funding award and ending on the date of receipt of the first transmittal of Green Acres funds.

"Unfunded parkland" means parkland, other than funded parkland, that is held by the Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds.

*Legislative References*

N.J.S.A. 13:8A-1 et seq.; N.J.S.A. 13:8A-19 et seq.; N.J.S.A. 8:A-35 et seq. (as amended and supplemented); N.J.A.C. 7:36-1 et seq.; 16 U.S.C. 460 s.1 et seq.

# Exhibit "G"

## Declaration of Encumbrance

Page 3 of 11

### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY

Local Unit: City of Newark County: Essex

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named Newark Recreation and Open Space Inventory and is dated June 9, 2009.

**Developed and Partially Developed Lands Held for Recreation and Conservation Purposes**  
(\*If necessary, use the first page following & after Page 4 for additional developed and partially developed lands)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
1.	910-922 South Orange Avenue	Boylan Street Pool	4063	6, 128	2.120	Funded	
2.	223-241 Sussex Avenue	Boys Park	2847	1	1.389	Funded	Recently Developed
3.	382-390 Hawthorne Avenue	David L. Warner Playground	3617	3, 4, 5, 7	0.286	Unfunded	
4.	115-137 Elwood Avenue	Elwood Park (Phillips Park)	734	1	0.537	Unfunded	Recently Developed
5.	258-264 First Street	First Street Park 1	1912.01	67	0.189	Unfunded	Recently Developed
6.	276-300 First Street	First Street Park 2	1911.01	48	1.880	Unfunded	Recently Developed
7.	Bounded by Prince Street, Springfield Avenue, Broome Street	Greater Newark Conservancy's Prudential Outdoor Learning Center	235	16-22, 25, 32-34, 36, 38, 40-47	1.500	Funded	
8.	608-630 Ferry Street	Hayes Park East	2399	2	4.470	Unfunded	
9.	11-29 Hennessey Street	Hennessey Street Park	993	1,7	0.522	Unfunded	

Subtotal of Acres on this page ..... 12.893  
Total Acres of developed and partially developed lands from all pages of this ROSI... 62.228

## Declaration of Encumbrance

Page 4 of 11

**EXHIBIT I to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY**

Local Unit: City of Newark County: Essex

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named Newark Recreation and Open Space Inventory and is dated June 9, 2009.

**Wholly Undeveloped Lands Held for Recreation and Conservation Purposes**

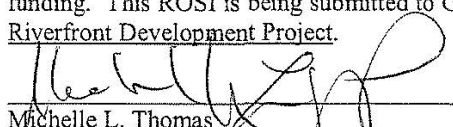
(\*If necessary, use the second page following & after Page 4 for additional wholly undeveloped lands)

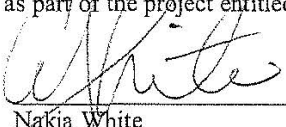
<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
A.	265-269 Badger Avenue, 281-295 Badger Avenue	Badger Avenue Park	2704	14, 23	0.499	Funded	
B.	683-695 Broadway, 212-232 Oraton Street	Broadway Park	729	21, 24, 26, 75, 77, 79, 80, 81, 83, 84, 107	1.824	Funded	
C.	420-422 Chancellor Avenue	Bruce Branch Park	3739	29, 30	0.149	Unfunded	
D.	2-8 Chancellor Avenue	Chancellor Park	3683.01	1	0.034	Unfunded	
E.	19 Green Street	City Hall Park	873	1 (partial)	0.312	Unfunded	

Subtotal of Acres on this page ..... 2.507

Total Acres of wholly undeveloped lands from all pages of this ROSI..... 392.228

**CERTIFICATION:** I HEREBY CERTIFY that this Exhibit 1 to Declaration, comprising 11 total pages, is a complete and accurate listing of all lands held by the Local Unit, as of this 4<sup>th</sup> day of June, 2009, for recreation and conservation purposes during the time of receipt of Green Acres funding. This ROSI is being submitted to Green Acres as part of the project entitled Minish Park Passaic Riverfront Development Project.

  
Michelle L. Thomas  
Chief Executive Officer of Local Unit  
Date: 6/4/09

  
Nakia White  
Planning Board Chairperson (or equivalent)  
Date: 6/1/09

This Certification is to be signed only on this page, Page 4, of EXHIBIT 1 to DECLARATION.



## Declaration of Encumbrance

**EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY**  
(Continued)

**Developed and Partially Developed Lands Held for Recreation and Conservation Purposes**  
(\* Numerical Key)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
10.	441-455 Chestnut Street	Ironbound Little League Field (Ironbound Park)	1128.01	59	1.237	Funded	
11.	46-132 Saint Charles Street	Ironbound Recreation Center	2052	1	10.789	Unfunded	
12.	39-57 Avon Avenue	Jesse Allen Park (R-6 Park)	2583, 2591	44, 42	8.158	Funded	
13.	203-217 West Kinney Street	John F. Kennedy Recreation Center	2524, 2526	1, 1	2.340	Unfunded	
14.	415-439 Fifth Street	Kasberger Field (St. Benedict's Park)	1950	1	3.720	Funded	
15.	534-544 Clinton Avenue (46-48 Hedden Terrace, 153-163 Seymour Avenue, 197 Seymour Avenue)	Mildred Helms Park	3023, 3024	3023/15, 3025/68, 69, 70, 71, 73, 99	3.638	Funded	
16.	1-5 Rector Street	Monsignor Doane Park (Rector Park)	16	1	0.105	Unfunded	
17.	251-289 Eighteenth Avenue	Nat Turner Park (Hayes Park West/ R-32/ Hayes Park West Pool & Rec Center)	2571	26	10.509	Funded	
18.	56-68 Hayes Street (portion of 55-79 Jones Street)	New Community Recreation Center	239	13 (partial), 43	0.727	Funded	

Subtotal of Acres on this page ..... 41.223

# Exhibit "G"

## Declaration of Encumbrance

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### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY (Continued)

#### Developed and Partially Developed Lands Held for Recreation and Conservation Purposes (\* Numerical Key)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
19.	167-175 Seventh Avenue	Rotunda Pool	472	30	0.859	Unfunded	
20	392-394 South 11th Street	South 11th Street Park	266	32,33	0.057	Unfunded	
21.	352-368 Lyons Avenue	St. Peters Park	3724	109	4.065	Funded	
22.	26-32 Johnson Avenue	Terrell James Park	2670	21, 53	0.363	Unfunded	
23.	2-24 Tichenor Lane	Tichenor Park (Skulls Field)	903	1	1.210	Unfunded	Owned by NJDOT with long term lease to the City of Newark since 1986
24.	316-348 First Street	Thomas Silk Park	1932.01	41	1.558	Unfunded	Recently Developed

Subtotal of Acres on this page ..... 8.112

## Declaration of Encumbrance

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**EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY  
(Continued)**

**Wholly Undeveloped Lands Held for Recreation and Conservation Purposes  
(\* Alphabetical Key)**

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
F.	147-155 Clinton Avenue	Clinton Avenue Park	123	78	0.182	Funded	
G.	Clinton Avenue & Lincoln Park	Clinton Park	120	1	1.540	Unfunded	
H.	338-342 Springfield Avenue	Danielle Park (Buchanan Park)	256	1	0.059	Unfunded	
I.	136-146 Spruce Street	Douglass Park	2556	61	2.221	Unfunded	
J.	West Milford, NJ Watershed	Echo Lake Recreational Facility (Watershed)	14402	1 (part)	350.000	Unfunded	Conservation easement was conveyed by the City of Newark to the State of N.
K.	46-52 Liberty Street	Green Street Park	870.01	42	0.021	Unfunded	
L.	135-145 Spruce Street	Harrison Park	2563	75	2.376	Unfunded	
M.	Heller Parkway	Heller Parkway Islands	In Street Bed, Not Tax Parcel	*	1.200	Unfunded	
N.	40-42 Randolph Place	Herpers Park (Girard Park)	3043.01	1	0.450	Unfunded	
O.	361-363 Clinton Avenue	Hiker Park (Hiker's Monument)	2676	1	0.018	Unfunded	
P.	74-96 Homestead Place	Homestead Park	3044.01	34	0.531	Unfunded	
Q.	556-564 Hunterdon Street	Hunterdon Street Park	2661	52, 53, 54, 55, 56	0.309	Unfunded	
R.	62-76 Pennsylvania Avenue	Jackson Park	2816	1	0.337	Unfunded	

Subtotal of Acres on this page ..... 359.223

# Exhibit "G"

## Declaration of Encumbrance

Page 8 of 11

### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY (Continued)

#### Wholly Undeveloped Lands Held for Recreation and Conservation Purposes (\* Alphabetical Key)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
S.	67-71 James Street	James Street Park	44	35, 36, 37	0.136	Funded	
T.	450-470 Central Avenue	Liberty Park (Central Park)	1844	1	0.615	Unfunded	
U.	1035-1071 Broad Street	Lincoln Park	2827	1	4.210	Unfunded	
V.	38-44 Lombardy Street	Lombardy Park	13	1	0.180	Unfunded	
W.	614-706 Broad Street	Military Park	124	1	5.140	Unfunded	
X.	938-948 McCarter Highway (along the Passaic River)	Minish Park	1, 171	Block 1/Lot 60; Block 171/Lot 41, 42	1.780	Funded	Block 1/Lot 60 includes previous Lots 61, 62, & 63 (which were all combined into Lot 60); Real acreage is 4.31 not 28.995 as was previously noted
Y.	655-815 Raymond Blvd (along the Passaic River)	Minish Park (formerly Riverbank Park - Morris Canal Bed)	2025, 2026, 2027, 2028	Block 2025/ Lot 1, 2; Block 2026/ Lot 1, 7, 19, 22; Block 2027/ Lot 2; Block 2028/ Lot 1, 2	5.115	Unfunded	Riverbank Park (Morris Canal Bed) is now a part of Minish Park

Subtotal of Acres on this page .....

17.176

## Declaration of Encumbrance

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**EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY  
(Continued)**

**Wholly Undeveloped Lands Held for Recreation and Conservation Purposes  
(\* Alphabetical Key)**

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
Z.	950-964, 966-968, 970-972, 1008- 1020, 1022-1052 McCarter Highway (along the Passaic River)	Minish Park	2, 3	Block 2/Lot 15, 27, 29 (partial); Block 3, Lot 1, 13 (partial)	2.530	Funded	Owned by NJDOT; State House Commission approval as replacement land for diversion of Lombardy Park (SHC File #0714006); will be deeded to the City
AA.	6-10 Jersey Street	Minish Park	171, 2029	Block 171/ Lot 1, 6, 8 (partial); Block 2029/ Lot 1, 7, 21, 22	2.598	Funded	Owned by NJDOT; State House Commission approval on May 23, 2005 (SHC File #0714009); Block 171, Lot 8 partial (0.0117 acres) will be deeded to the City as compensation for diverted parkland; balance of site reserved as a "bank" for future NJDOT projects
AB.	14-18 Centre Place	Minish Park (easement)	130	47	0.150	Unfunded	Owned by City of Newark

Subtotal of Acres on this page .....

5.278

## Declaration of Encumbrance

**EXHIBIT 1 to DECLARATION  
RECREATION AND OPEN SPACE INVENTORY**  
(Continued)

**Wholly Undeveloped Lands Held for Recreation and Conservation Purposes**  
(\* Alphabetical Key)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
AC.	Docks	Minish Park (easement)	130, 133, 134	Block 130/ Lots 1, 12; Block 133/ Lot 1; Block 134/Lot 10	0.690	Unfunded	Owned by Matrix; easement has been secured
AD.	1007-1015 Raymond Blvd.	Minish Park (easement)	169.01	58	0.130	Unfunded	Owned by City of Newark
AE.	379-395 Raymond Blvd.	Mother Cabrini Park	180	45	0.244	Unfunded	
AF.	341-351 Mount Prospect Avenue	Mount Prospect Park	578	12	0.186	Unfunded	
AG.	418-420 Clinton Avenue	Peshine Park	2682	1	0.019	Unfunded	
AH.	1-31 Ferry Street	Peter Francisco Park (Basilone Square)	181	45	0.439	Unfunded	
AI.	368-378 Bloomfield Avenue	Salvador Bontempo Memorial Park (Water Tower)	598	1	0.102	Unfunded	
AJ.	156-208 Milford Avenue	Schleifer Park (Milford Park)	2698	1	1.020	Unfunded	
AK.	429-439 Bloomfield Avenue	St. Francis Xavier Park (Bloomfield Park)	593	18, 23 (partial)	0.425	Funded	
AL.	155-165 Central Avenue	Sussex Park (Central Avenue Park)	2830	1	0.197	Unfunded	

Subtotal of Acres on this page .....

3.452

# Exhibit "G"

## Declaration of Encumbrance

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### EXHIBIT 1 to DECLARATION RECREATION AND OPEN SPACE INVENTORY (Continued)

#### Wholly Undeveloped Lands Held for Recreation and Conservation Purposes (\* Alphabetical Key)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>	<u>Comments</u>
AM.	186-196 West Market Street	Wallace Park (William M. Ashby Park)	420	1.03	0.139	Unfunded	
AN.	501-551 Broad Street	Washington Park	23	1	3.350	Unfunded	
AO.	423-425 Seventh Avenue	Washington Plaza	1919.01	52	0.047	Unfunded	
AP.	466 Bergen Street	Waverly Park	2575.01	1	0.044	Unfunded	
AQ.	100-104 West End Avenue	West End Avenue Park	4042.02	1	0.480	Unfunded	
AR.	88-100 Hanford Street	Weston Park	3756	23	0.247	Unfunded	
AS.	1-11 Wilburton Place	Wilburton Place Park	575	77,78, 79, 80, 81, 82, 83, 84, 85, 86, 87	0.285	Funded	

Subtotal of Acres on this page .....

4.592