

ORDINANCE NO. 3942-11

AN ORDINANCE REPEALING ORDINANCE NO. 3917-10 ENTITLED, "AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF TOWNSHIP OWNED LAND LOCATED IN BLOCK 535, LOT 3 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY" AND AUTHORIZING THE PRIVATE SALE OF TOWNSHIP OWNED LAND LOCATED IN BLOCK 535, LOTS 1 & 2 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

Summary

An ordinance repealing Ordinance No. 3917-10 and authorizing the private sale of Township owned land located in Block 535, Lots 1 and 2 to Bekus as required by Docket No. ZBA-08-00006.

WHEREAS, Ordinance No. 3917-10, adopted by the Township Council on December 14, 2010 authorized the private sale of Township owned land located in Block 535, Lot 3 to Bekus as required by Docket No. ZBA-08-00006; and

WHEREAS, the lot listed in Ordinance No, 3917-10 was incorrect and the ordinance needs to be repealed;

WHEREAS, the Township of Franklin (the "Township"), in the County of Somerset is the owner of a certain parcels of vacant land ("Properties") known as Block 535, Lots 1 & 2; and

WHEREAS, the Township intends to sell the Properties to Bekus as a condition of their Zoning Board Approval; and

WHEREAS, via docket ZBA-08-00006, the Township Board of Adjustment made the sale of said land as a condition of the Zoning Board Approval;

WHEREAS, **NJSA 40A:12-21** provides, in pertinent part, when the governing body of municipality determines that all or part of a tract of land owned by the municipality is not the need for municipal purposes, said governing body may authorize a private sale and conveyance of the same for a consideration, which may be nominal and containing a limitation that such lands shall be used for only purposes of such organization; and

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Franklin in the County of Somerset and State of New Jersey declares as follows:

1. Ordinance No. 3917-10 is hereby repealed;
2. The Property known as Block 535, Lots 1 & 2 are to be surplus and not needed for public use;
3. The Property known as Block 535, Lots 1 & 2 to be conveyed to Bekus for a nominal consideration of \$7,500.00 for the purposes of meeting the condition of their Zoning Board Approval.
4. The terms of the sale of the property are as follows: Consolidation with Lot 3, Block 535; No billboards; No Cell Towers; and No future subdivision.

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THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

Introduced: June 28, 2011
Public Hearing: August 9, 2011
Adoption: August 9, 2011
Notice of Adoption: August 15, 2011
Effective Date: August 29, 2011

Ann Marie McCarthy, Township Clerk