

ORDINANCE NO. 3759

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF TOWNSHIP OWNED LAND LOCATED IN BLOCK 280, LOTS 4, 5, 6 AND 7 (CLIFTON STREET/ FRANKLIN BOULEVARD); BLOCK 287.02, LOTS 24-27 (18 VIKING AVENUE); BLOCK 217, LOT 101 (BAIER AVENUE / LEWIS STREET); BLOCK 558, LOTS 6-9 (70 GARFIELD AVENUE); BLOCK 554, LOTS 17-20 (73 GARFIELD AVENUE); AND BLOCK 556, LOTS 12-14 (575 GARFIELD AVENUE / EQUATOR AVENUE) IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY

Summary

An ordinance authorizing the private sale of Township owned land located in Block 280, Lots 4, 5, 6 and 7 (Clifton Street/ Franklin Boulevard); Block 287.02, Lots 24-27 (18 Viking Avenue); Block 217, Lot 101 (Baier Avenue / Lewis Street); Block 558, Lots 6-9 (70 Garfield Avenue); Block 554, Lots 17-20 (73 Garfield Avenue); and Block 556, Lots 12-14 (575 Garfield Avenue / Equator Avenue) to Raritan Valley Habitat for Humanity to build affordable housing.

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 280, Lots 4, 5, 6 and 7 (Clifton Street/ Franklin Boulevard); Block 287.02, Lots 24-27 (18 Viking Avenue); Block 217, Lot 101 (Baier Avenue / Lewis Street); Block 558, Lots 6-9 (70 Garfield Avenue); Block 554, Lots 17-20 (73 Garfield Avenue); and Block 556, Lots 12-14 (575 Garfield Avenue / Equator Avenue); and

WHEREAS, the Township intends to sell the Properties to Raritan Valley Habitat for Humanity to build affordable housing that will count towards the Township's COAH obligation; and

WHEREAS, via docket PLN-07-00026, the Township Planning Board approved a subdivision of Block 280, Lots 4, 5, 6 and 7 (Clifton Street/ Franklin Boulevard) into a total of three (3) conforming lots, which lots will be known as Block 280, Lots 4.01, 5.01 and 6.01 upon filing of the subdivision deeds.

WHEREAS, NJSА 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

WHEREAS, the NJSА 40A:12-21 (l) provides, in pertinent part, that a municipality may convey land to a duly incorporated nonprofit housing corporation or any limited-dividend

housing corporation or housing association for the purpose of constructing housing or low or moderate income persons or families or handicapped persons;

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. The Properties known as Block 280, Lots 4, 5, 6 and 7 (Clifton Street/ Franklin Boulevard); Block 287.02, Lots 24-27 (18 Viking Avenue); Block 217, Lot 101 (Baier Avenue / Lewis Street); Block 558, Lots 6-9 (70 Garfield Avenue); Block 554, Lots 17-20 (73 Garfield Avenue); and Block 556, Lots 12-14 (575 Garfield Avenue / Equator Avenue) to be surplus and not needed for public use;

2. The Properties known as Block 280, Lots 4, 5, 6 and 7 (Clifton Street/ Franklin Boulevard); Block 287.02, Lots 24-27 (18 Viking Avenue); Block 217, Lot 101 (Baier Avenue / Lewis Street); Block 558, Lots 6-9 (70 Garfield Avenue); Block 554, Lots 17-20 (73 Garfield Avenue); and Block 556, Lots 12-14 (575 Garfield Avenue / Equator Avenue) to be conveyed to Raritan Valley Habitat for Humanity for a nominal consideration for the purposes of constructing affordable housing.

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

Introduced: May 27, 2008
Public Hearing: June 24, 2008
Adoption: June 24, 2008
Notice of Adoption: June 30, 2008
Effective Date: July 14, 2008

Ann Marie McCarthy, Township Clerk