

**ORDINANCE NO. 3782**

**AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR AFFORDABLE HOUSING PURPOSES AND TO AUTHORIZE THE SALE OF CERTAIN PREMISES IN THE TOWNSHIP OF FRANKLIN PURSUANT TO NJSA 40A:12-13(a) – BLOCK 34.07/LOT 16.07 – 79 CAITLIN COURT, FRANKLIN PARK**

**SUMMARY**

An ordinance authorizing the acquisition by purchase or condemnation and the public sale of the following: Block 34.07, Lot 16.07 – 79 Caitlin Court, Franklin Park.

**WHEREAS**, pursuant to NJSA 40:48-2, the Township of Franklin is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

**WHEREAS**, pursuant to NJSA 40A:12-5, the Township has the power to acquire any real property for a public purpose by purchase or condemnation; and

**WHEREAS**, in settlement of certain litigation with respect to the property, the Township determined that it would serve a public purpose for it to acquire said property to preserve affordable housing with the Township;

**WHEREAS**, pursuant to NJSA 40A:12-13, the Township has the power to sell the property;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that:

1. The acquisition by negotiation and/or eminent domain, of the following parcel of land is hereby authorized:

Block 34.07, Lot 16.07 – 79 Caitlin Court - being designated on the official tax map of the Township of Franklin; and

2. The Township shall pay for the acquisition of the property in accordance with the settlement of the litigation, which shall amount shall not exceed the Maximum Permitted Resale Price permitted by the regulations of the New Jersey Fair Housing Program for such purchase.
3. The sale of certain premises known as 34.07, Lot 16.07 is hereby authorized and shall be sold by open public sale pursuant to NJSA 40A:12-13(a), in conformity with all requirements set forth therein.

**BE IT FURTHER ORDAINED** that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

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

INTRODUCED: August 12, 2008  
PUBLIC HEARING: September 9, 2008  
ADOPTED: September 9, 2008  
NOTICE OF FINAL ADOPTION: September 16, 2008  
EFFECTIVE DATE: September 29, 2008

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ANN MARIE McCARTHY, TOWNSHIP CLERK