

ORDINANCE NO. 3838

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 34.10, LOT 59.01 C1219, ALSO KNOWN AS 73 AMETHYST WAY, UNIT G-1, FRANKLIN PARK.

SUMMARY

An ordinance authorizing the acquisition by purchase or condemnation and the public sale of the following: Block 34.10, Lot 59.01 C1219, also known as 73 Amethyst Way, Unit G-1, 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, the Township has obtained an appraisal report that states the fair market value of the property to be acquired; and

WHEREAS, the Township has determined that it would serve a public purpose for it to acquire said property to preserve affordable housing within the Township;

WHEREAS, the Township Council of the Township of Franklin in the County of Somerset, State of New Jersey has determined that the premises known as Block 34.10, Lot 59.01 C1219 on the Tax Map of the Township would not be needed for public use; and

WHEREAS, pursuant to NJSA 40A:12-13, the Township has the power to sell any real property that is no longer needed for public use;

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 34.10, Lot 59.01 C1219, also known as 73 Amethyst Way, Unit G-1 - being designated on the official tax map of the Township of Franklin; and

2. The Township shall pay for the acquisition of the properties set forth in Paragraph 1 hereof, the fair market value on the date of acquisition, as determined by an appraisal report prepared on behalf of the Township by a recognized and qualified appraiser and after approval of said amount by the Township Council.
3. The sale of certain premises known as Block 34.10, Lot 59.01 C1219 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: June 23, 2009
PUBLIC HEARING: July 14, 2009
ADOPTED: July 14, 2009
NOTICE OF FINAL ADOPTION: July 27, 2009
EFFECTIVE DATE: August 3, 2009

ANN MARIE McCARTHY, TOWNSHIP CLERK