

CRANBURY TOWNSHIP ORDINANCE 11-15-21

**TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX
COUNTY AUTHORIZING THE CONVEYANCE OF CERTAIN REAL
PROPERTY LOCATED AT 2665 ROUTE 130 SOUTH (BLOCK 26, LOT 3
ON THE CRANBURY TOWNSHIP TAX MAP) TO CRANBURY
HOUSING ASSOCIATES, INC.**

WHEREAS, the Township of Cranbury (“Township”) is the owner of certain real property located at 2665 Route 130 South and designated as Lot 3 in Block 26 on the Cranbury Township Tax Map (the “subject property”); and

WHEREAS, the Township acquired the subject property to provide for the construction of low- and moderate-income housing in partial satisfaction of the Township’s fair share affordable housing obligation pursuant to the Fair Housing Act of 1985, *N.J.S.A. 52:27D-301, et seq.*; and

WHEREAS, Cranbury Housing Associates, Inc. (“CHA”) is a volunteer, non-profit corporation of the State of New Jersey organized in 1963 that designs, develops, constructs, operates and manages housing opportunities for low- and moderate-income individuals and families within the Township; and

WHEREAS, the Township is ready to proceed with the development of the subject property for new affordable housing opportunities and CHA has designed and is prepared to construct, operate and manage this new affordable housing project; and

WHEREAS, *N.J.S.A. 40A:12-21* provides, in pertinent part, that when the governing body of a municipality shall determine that all or any part of a tract of land, with or without improvements, owned by the municipality is not then needed for municipal purposes, the governing body may authorize a private sale and conveyance of the same, without compliance with any other law governing disposal of lands by municipalities, for a consideration, which may be nominal, to a qualified non-profit organization and containing a limitation that such property shall be used only for the proposes of such organization and for such services and facilities as may be agreed upon, and if the property is not used in accordance with said limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of such municipality; and

WHEREAS, *N.J.S.A. 40A:12-21(1)* further provides, in pertinent part, that a municipality may convey such property to a duly incorporated nonprofit housing corporation or limited-dividend housing corporation or housing association for the propose of constructing housing for low or moderate income persons or families or handicapped persons; and

WHEREAS, the subject property is not otherwise needed for any municipal purposes;
and

WHEREAS, as authorized by *N.J.S.A. 40A:12-21*, the Township now wishes to convey, and CHA wishes to obtain, the subject property so that CHA may proceed with the development of the property for affordable housing purposes.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, as follows:

1. The preamble to this ordinance is hereby incorporated as if more fully set forth herein.
2. The subject property, located at 2665 Route 130 South and designated as Lot 3 in Block 26 on the Cranbury Township Tax Map, was acquired by the Township for affordable housing purposes, and the Township finds that the property is not otherwise needed for any municipal purposes.
3. Pursuant to *N.J.S.A. 40A:12-21*, the Township authorizes and shall convey the subject property to Cranbury Housing Associates, Inc., for nominal consideration, for the purposes of constructing, operating and managing an affordable housing project that will assist the Township in satisfying its fair share affordable housing obligation.
4. The Mayor, Township Administrator, Township Clerk, Township Engineer, Township Attorney, and all other appropriate officers, employees, consultants and professionals, are hereby authorized and directed to prepare and execute any and all documents and instruments necessary, and undertake, or cause to be undertaken, any and all acts necessary, to effectuate the terms and purposes hereof.
5. This Ordinance shall take effect upon passage and publication, as provided for by law.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on November 23, 2015. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held in the meeting room of Cranbury Town Hall, 23A North Main Street, in the Township of Cranbury, on December 14, 2015, at 7:00 p.m., and during the week prior and up to and including the date of such meeting, copies of said ordinance will be made available in the Clerk's Office to members of the general public who shall request the same.

Kathleen R. Cunningham, RMC, Clerk