

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1733

**AN ORDINANCE OF THE TOWNSHIP OF
MAHWAH AUTHORIZING THE SALE OF LOTS
106, 107, AND 108 IN BLOCK 40, LOCATED AT 92
AND 98 RAMAPO VALLEY ROAD.**

WHEREAS, the Township of Mahwah acquired by a gift the property located at 92 and 98 Ramapo Valley Road, Block 40, Lots 106, 107, and 108 ("the Property"), for the purpose of developing the Property with special needs housing for people with developmental disabilities and affordable housing for senior citizens; and

WHEREAS, the United Way of Bergen County and Madeline Corporation ("Developer") have entered into an agreement with Mahwah to develop the Property in this manner; and

WHEREAS, the Developer has proposed that Mahwah transfer the Property to the Developer for \$1.00 conditioned on the Developer's performance of its obligations to obtain financing and to develop and use the Property in accordance with the terms of an agreement that is on file with the Township Clerk; and

WHEREAS, N.J.S.A. 40A:12-21(l) permits the Township Council to authorize the private sale of the Property at nominal value to the Developer for these purposes, provided that the contract and deed: (1) limit the use of the Property for the purposes set forth herein, and (2) state that if the Property is not used in accordance with this limitation, title thereto shall revert to Mahwah without any entry or reentry made thereon on behalf of Mahwah; and

WHEREAS, the Township Council finds that good cause exists to authorize the transfer of the Property to facilitate the development of the needed housing for those people identified above; and

WHEREAS, the purpose of this ordinance is to approve the transfer of the Property, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., and all other applicable laws.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

Section 1: The Township will transfer, by agreement, the Property by way of a sale for \$1.00 to the Developer, in accordance with the provisions of all applicable laws and legal standards. The acquisition will include, but will not be limited to, all easements, rights of way, leaseholds, and other estates in and to the Property. The Mayor, Township Clerk, Township Business Administrator, and Township Attorney are authorized and directed to execute all documents necessary for the sale, including a contract for the purchase, which shall be in a form prepared by or approved by the Township Attorney.

Section 2: The Property is being sold pursuant to N.J.S.A. 40A:12-21(l). The contract and deed will contain the restrictions on the use of the Property and the reverter provision referenced to above, as required by N.J.S.A. 40A:12-21.

Section 3: The Township transfers the Property pursuant to all of the powers delegated to the Township pursuant to N.J.S.A. 40A:12-1 et seq. and all other applicable laws, rules, and regulations.

Section 4: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

Section 5: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

Section 6: This ordinance will take effect upon final approval and publication,
according to law.

Introduced and passed first reading:

Passed second reading:

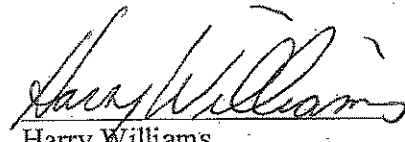
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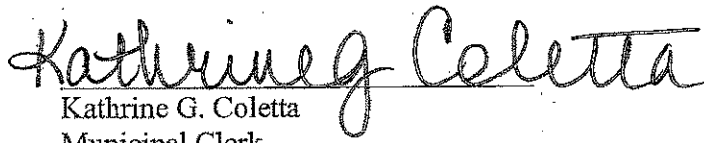
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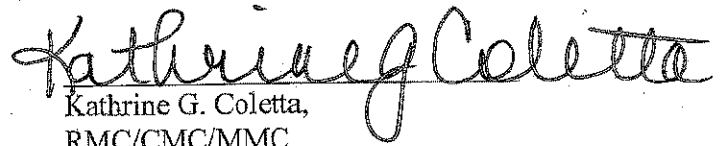
Dated: 11/18/13

Attest


Harry Williams
Council President


Kathrine G. Coletta
Municipal Clerk

I, Kathrine G. Coletta, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 7th day of November, 2013.


Kathrine G. Coletta,
RMC/CMC/MMC
Municipal Clerk