

**TOWNSHIP OF READINGTON**

***AN ORDINANCE AUTHORIZING THE CONVEYANCE OF PROPERTIES KNOWN AS BLOCK 21.12, LOTS 25.01 AND 25.02 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO RARITAN VALLEY HABITAT FOR HUMANITY, INC., A NON-PROFIT CORPORATION OF THE STATE OF NJ FOR AFFORDABLE HOUSING PURPOSES; AUTHORIZING AFFORDABLE HOUSING DEED RESTRICTIONS ON BOTH PROPERTIES, AND PROVIDING FOR FUNDING OF A \$50,000 FINANCIAL CONTRIBUTION IN ACCORDANCE WITH THE TOWNSHIP'S AMENDED AND APPROVED AFFORDABLE HOUSING PLAN AND COURT-APPROVED SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER DATED JULY 19, 2019***

***Ordinance #15-2024***

***WHEREAS***, the Township of Readington ("Township"), owns vacant land known as Block 21.12, Lots 25.01 and 25.02 on the official tax map of the Township of Readington (formerly a portion of Block 21.12, Lot 25) with an address of 17A and 17B, James Street, (hereinafter the "property"), which property is depicted on the subdivision map entitled "Amended Preliminary/Final Major Subdivision Plan for Block 21.12, Lot 25" prepared by Finelli Consulting Engineers, dated September 11, 2023, and recorded in the Hunterdon County Clerk's Office on 1/22/24, as map #20240122000010500, a copy of which is attached hereto as Schedule A (On file in Clerk's Office); and

***WHEREAS***, the property has been designated for development for affordable housing purposes and conveyance to Raritan Valley Habitat for Humanity, Inc., a non-profit corporation of the State of New Jersey (hereinafter "Habitat") pursuant to the Township's amended and Court-approved affordable housing plan included in the settlement Agreement with Fair Share Housing Center ("FSHC") dated July 19, 2019 and Final Order of Judgment of Compliance and Repose dated March 28, 2022 entered by the Superior Court in an action filed by the Township entitled "In the Matter of the Application of the Township of Readington, County of Hunterdon", Docket No. HNT-L-301-15 (the "Plan"); and

***WHEREAS***, as part of the Plan, the Township and Habitat entered into a Memorandum of Understanding dated May 17, 2021 ("Memorandum of Understanding") which sets forth Habitat's commitment to develop, construct, and administer two single-family affordable, for-sale, low or moderate income dwellings to be styled as "semi-detached" or "twin" dwellings upon the property; and

***WHEREAS***, Habitat's construction of the affordable units is contingent on the conveyance of the property to it for the consideration of \$1.00, and certain conditions, including a reverter provision in the deed, if the units are not constructed within a certain time period, and the recording of an affordable housing deed restrictions to stay in place at least thirty years on each lot, or until the municipality chooses to release them, as well as a municipal financial contribution of \$50,000; and

***WHEREAS***, the Township is authorized to convey the property to Habitat under N.J.S.A. 40A:12-21(j), et seq; and any other applicable law; and

**WHEREAS**, funding for the municipal contribution is available in, and shall be expended from, the Township's Affordable Housing Trust Fund; and

**WHEREAS**, copies of the proposed Deeds containing the affordable housing restrictions (both to be low income dwellings) and reverter provisions are available in the Township Clerk's Office for public inspection; and

**NOW, THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, as follows:

Section 1. Preamble incorporated. The statements and findings set forth in the preamble above are hereby incorporated as if fully restated herein.

Section 2. Pursuant to N.J.S.A. 40A:12-21(j), the Township Committee authorizes the conveyance of the property known as Block 21.12, Lots 25.01 and 25.02 to Raritan Valley Habitat for Humanity Inc., for \$1.00 and in consideration of an affordable housing deed restriction (with low income designation) placed on each lot for at least thirty years (or until the municipality acts to release it), per UHAC regulations; (2) Habitat's commitment to construct two affordable housing units on the property (one on each of the lots), in accordance with the aforesaid agreements made with the Township; and (3) a reverter provision as described above, in the event the units are not constructed and sold as affordable housing units.

Section 3. The sum of \$50,000 contribution to Habitat is authorized to be paid from the Township's Affordable Housing Trust fund for the reasons set forth in the preamble above.

Section 4. The affordable housing deed restrictions to be placed within in the Deeds on Block 21.12, Lots 25.01 and 25.02 are authorized, approved and accepted.

Section 5. On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator, Township Clerk, Township Housing Coordinator, and Township Attorney, as appropriate, are also authorized to prepare and sign any and all documentation necessary to effectuate the conveyance of Block 21.12, Lots 25.01 and 25.01 to Raritan Valley Habitat for Humanity, Inc. and to make the aforesaid financial contribution.

Section 6. Severability.

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 7. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law.

A TRUE COPY OF WHICH ORDINANCE IS PRINTED ABOVE WAS INTRODUCED AT THE MEETING OF THE TOWNSHIP COMMITTEE ON *MAY 6, 2024* AND THAT IT IS THE INTENTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON TO CONSIDER PASSAGE OF SAID ORDINANCE AT THE REGULAR MEETING OF THE TOWNSHIP COMMITTEE TO BE HELD AT THE MUNICIPAL BUILDING, 509 ROUTE 523, WHITEHOUSE STATION, NEW JERSEY, ON *MAY 20, 2024* AT 7:45 P.M. AT WHICH TIME AND PLACE, OR AT ANY TIME OR PLACE TO WHICH THE MEETING SHALL BE FROM TIME TO TIME ADJOURNED AN OPPORTUNITY WILL BE GIVEN TO ALL PERSONS WHO MAY BE INTERESTED THEREIN TO BE HEARD CONCERNING SAID ORDINANCE.

KARIN M PARKER, *RMC*  
MUNICIPAL CLERK