

**BOROUGH OF DEMAREST
COUNTY OF BERGEN**

ORDINANCE #1110-22

**An Ordinance of the Borough of Demarest, County of Bergen, State of New
Jersey**

Ordinance #1110-22 Authorizing the sale of Borough Owned Real Property known as Block 23 Lot 13 & 14 on the tax map of the Borough of Demarest, more commonly known as 127 Hardenburgh Avenue

WHEREAS, the Borough of Demarest currently is the Fee Simple owner of a certain parcel of real property, to wit, Lot 13 & 14 in Block 23 of the Demarest Tax Map, otherwise known as 127 Hardenburgh Avenue, which was originally taken in an eminent domain proceeding known and captioned as, Borough of Demarest v. Adams, et als., BER-L-12378-04, for a public purpose; and

WHEREAS, it appears that the Borough seeks to convey said parcel of property for construction of a 100% affordable housing complex consistent with the Borough's July 8, 2020 Judgment of Compliance and Statutory Repose, and;

WHEREAS, it appears that bidding or auction is unnecessary, and that a private sale is authorized to a designated redeveloper for affordable housing construction pursuant to NJSA 40A:12-13(c).

THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Demarest, in the County of Bergen and State of New Jersey, that the Borough Attorney be and hereby is authorized to prepare all necessary conveyance documents for the sale of the said property directly to BCUW/Madeline Housing Partners, the designated redeveloper of said property for the sum of \$1.00, as nominal compensation in consideration of the 100% affordable housing complex; and

BE IT FURTHER ORDAINED, that all steps necessary pursuant to the aforementioned statute section shall be complied with prior to entry into a contract for the sale of the said property, and

BE IT FURTHER ORDAINED, that if the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance, and

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency, and

BE IT FURTHER ORDAINED, this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

BOROUGH OF DEMAREST

Melinda J. Iannuzzi
Melinda J. Iannuzzi, Mayor

ATTEST:

Adeline M. Hanna
Adeline Hanna, Acting Borough Clerk

Introduced: October 18, 2022

Moved by: Fox
Second by: Hamilton

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Carroll:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connelly:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fox:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hamilton:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaPira:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slowikowski:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Absent
Iannuzzi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Iannuzzi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This is to certify that the foregoing Ordinance was passed on Introduction by the Borough Council of the Borough of Demarest, New Jersey, at a public meeting duly held in accordance with the law on October 18, 2022.

Adeline M. Hanna
Adeline M. Hanna
Deputy Borough Clerk