

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF ABANDONED PROPERTIES  
BY EXERCISE OF THE POWER OF EMINENT DOMAIN**

**BE IT ORDAINED** by the New Brunswick City Council, as follows:

**WHEREAS**, the City of New Brunswick (the "City") has established an Abandoned Property List (the "APL"), pursuant to the New Jersey Urban Redevelopment Act, *N.J.S.A. 55:19-20 et seq.*, and the Abandoned Properties Rehabilitation Act, *N.J.S.A. 55:19-78 et. seq.*; and

**WHEREAS**, the City has adopted the Scattered Sites Redevelopment Plan pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, to create a rehabilitation and development program for parcels of land situated throughout the City that have been deemed abandoned; and

**WHEREAS**, pursuant to *N.J.S.A. 55:19-56(c)(2)* the clearance, development, redevelopment, or repair of property maintained as an abandoned property is deemed to be a public purpose and public use for which the power of eminent domain may be exercised; and

**WHEREAS**, in order to facilitate the rehabilitation and redevelopment of abandoned properties in the City of New Brunswick, the City intends to acquire fee simple ownership of those properties listed on the APL which continue to be maintained as abandoned property pursuant to *N.J.S.A. 55:19-56(c)(1)*; and

**WHEREAS**, attached hereto as **Exhibit "A"** is a list of the properties on the APL (referenced by the tax map block and lot designation, and street address); which are identified as the subject of acquisition by the City (the "Abandoned Properties").

**NOW THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF NEW BRUNSWICK, that:**

**SECTION I**

The aforementioned recitals are incorporated herein by reference as though set forth at length.

**SECTION II**

The City is hereby authorized to exercise its power of eminent domain pursuant to *N.J.S.A. 55:19-56(c)(2)* and *N.J.S.A. 40A:12A-8(b)* and *-8(c)* to acquire the Abandoned Properties listed on Exhibit A (attached hereto), in accordance with the provisions of the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et seq.*

**SECTION III**

The Mayor, City Administrator, City Attorney and Abandoned Properties Counsel (the "Authorized Persons") are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to acquire the Abandoned Properties by negotiated purchases or condemnation proceedings, including but not limited to the execution of any documents required in connection therewith, obtaining any studies, surveys, tests, soundings, borings, appraisals and title searches, as necessary to determine the value, boundary, ownership and other property interests or environmental condition of the Abandoned Properties, and to take any action required to obtain fee simple title or a lesser interest of the Abandoned Properties, as deemed necessary.

**SECTION IV**

Any and all prior actions taken by the City, its officials, employees and agents in furtherance of the acquisition of the Abandoned Properties are hereby ratified.

**SECTION V**

**SEVERABILITY:**

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof.

**SECTION VI**

**REPEALER:**

All Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION VII**

**EFFECTIVE DATE:**

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:  
DATED: April 17, 2019

  
COUNCIL PRESIDENT

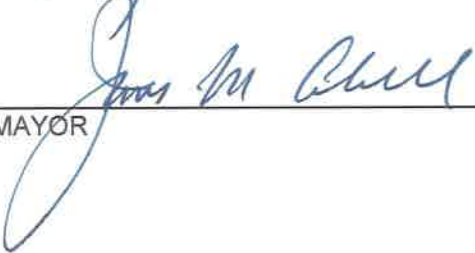
ADOPTED ON SECOND READING:  
DATED: May 01, 2019

  
COUNCIL PRESIDENT

ATTEST:

  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS <sup>3<sup>rd</sup></sup> DAY OF May, 2019.

  
MAYOR

APPROVALS:

  
CITY ADMINISTRATOR

  
CITY ATTORNEY  
CG/kc

I, Leslie R. Zeldin, City Clerk of the City of New Brunswick, NJ, do hereby certify the foregoing Ordinance is a true copy of the Original Ordinance adopted on second and final reading at a regular meeting of the New Brunswick City Council on its meeting on: May 01, 2019  
*Leslie R. Zeldin*  
Leslie R. Zeldin, City Clerk  
Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified

COUNCIL MEMBER	Y	N	AB	COUNCIL MEMBER	Y	N	AB
EGAN				SICORA LUDWIG			
ESCODAR				ANDERSON, PEG			
FLEMING, S							

COUNCIL MEMBER	Y	N	AB	COUNCIL MEMBER	Y	N	AB
EGAN				ANDERSON, PEG			
ESCODAR							
FLEMING, S							

FIRST READING VOTE ON APRIL 17, 2019 N= NO VOTE S= SECOND NV= NO VOTE AB= ABSENT

## EXHIBIT A

	BLOCK	LOT	STREET ADDRESS
1.	272	10	7 No. Ward Street
2.	147	7	42 Joyce Kilmer Avenue
3.	150	2	53 Remsen Avenue
4.	176	17.01	69 Handy Street
5.	225	23.01	84 Jersey Avenue
6.	251	19.01	109 Howard Street
7.	209	1	147 Remsen Avenue
8.	176	22	164 Commercial Avenue
9.	339	1.01	377 Lee Avenue