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

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 3rd DAY OF May, 2019

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

CG/kc
### EXHIBIT A

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>LOT</th>
<th>STREET ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>272</td>
<td>10</td>
</tr>
<tr>
<td>2.</td>
<td>147</td>
<td>7</td>
</tr>
<tr>
<td>3.</td>
<td>150</td>
<td>2</td>
</tr>
<tr>
<td>4.</td>
<td>176</td>
<td>17.01</td>
</tr>
<tr>
<td>5.</td>
<td>225</td>
<td>23.01</td>
</tr>
<tr>
<td>6.</td>
<td>251</td>
<td>19.01</td>
</tr>
<tr>
<td>7.</td>
<td>209</td>
<td>1</td>
</tr>
<tr>
<td>8.</td>
<td>176</td>
<td>22</td>
</tr>
<tr>
<td>9.</td>
<td>339</td>
<td>1.01</td>
</tr>
</tbody>
</table>

- 7 No. Ward Street
- 42 Joyce Kilmer Avenue
- 53 Remsen Avenue
- 69 Handy Street
- 84 Jersey Avenue
- 109 Howard Street
- 147 Remsen Avenue
- 164 Commercial Avenue
- 377 Lee Avenue