

RESOLUTION 2017-

RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DESIGNATING PROPERTY IDENTIFIED AS BLOCK 95, LOTS 5 AND 7-13 ON THE BOROUGH TAX MAPS AS AN AREA IN NEED OF REDEVELOPMENT, NON-CONDEMNATION

WHEREAS, the Borough of Belmar, in the County of Monmouth, New Jersey (the “**Borough**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on April 4, 2017, the Borough Council adopted Resolution 2017-74 in accordance with *N.J.S.A.40A:12A-6* authorizing and directing the Planning Board of the Borough (the “**Planning Board**”) to conduct an investigation to determine whether certain area of the Borough commonly known as Block 95, Lots 7-13 on the tax maps of the Borough satisfies the criteria to be designated as an “area in need of redevelopment” without the power of condemnation; and

WHEREAS, on May 4, 2017, the Borough Council adopted Resolution 2017-84 in accordance with *N.J.S.A.40A:12A-6* authorizing and directing the Planning Board to conduct an investigation to determine whether certain area of the Borough commonly known as Block 95, Lot 5 (together with Block 95, Lots 7-13, the “**Study Area**”) on the tax maps of the Borough satisfies the criteria to be designated as an “area in need of redevelopment” without the power of condemnation; and

WHEREAS, on June 19, 2017, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Francis Reiner, LLA/PP, entitled “Preliminary Investigation for Determination of an Area in Need of Redevelopment for Block 95, Lots 5, 7, 8, 9, 10, 11, 12, & 13,” dated June 2017 (the “**Redevelopment Study**,”) which determined that the Study Area met the criteria for designation as an “area in need of redevelopment” under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Redevelopment Study and recommended to the Borough Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Study Area be designated as an “area in need of redevelopment” (the “**Redevelopment Area**”); and

WHEREAS, at its June 19, 2017 meeting, the Planning Board further recommended that the Borough consider whether Block 95, Lots 14 and 15 on the Borough tax maps be considered as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, on August 1, 2017, the Borough Council adopted Resolution 2017-140 in accordance with *N.J.S.A.40A:12A-6* authorizing and directing the Planning Board to conduct an investigation to determine whether certain area of the Borough commonly known as Block 95, Lots 14 and 15 (together with Block 95, Lots 5 and 7-13, the “**Amended Study Area**”) on the tax maps of the Borough satisfies the criteria to be designated as an “area in need of redevelopment” without the power of condemnation; and

WHEREAS, at its September 18, 2017 meeting, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Francis Reiner, LLA/PP, entitled “Preliminary Investigation for Determination of an Area in Need of Redevelopment for Block 95, Lots 5, 7, 8, 9, 10, 11, 12, 13, 14 & 15” dated August 2017 (the “**Amended Redevelopment Study**”) which determined that the Amended Study Area met the criteria for designation as an “area in need of redevelopment” under the Redevelopment Law, and endorsed the findings of the Amended Redevelopment Study and recommended to the Borough Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Amended Study Area be designated as an “area in need of redevelopment” (the “**Amended Redevelopment Area**”), without the power of condemnation; and

WHEREAS, in accordance with the recommendation of the Planning Board, the Borough Council intends to designate the Amended Study Area as an “area in need of redevelopment,” without the power of condemnation, pursuant to *N.J.S.A. 40A:12A-5*.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Borough Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Amended Study Area is hereby designated an area in need of redevelopment without the power of eminent domain (the “**Non-Condemnation Redevelopment Area**”), pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Borough Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Borough Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.