

**RESOLUTION NO. 23-\_\_\_**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING QUITCLAIM DEED RELEASING  
AFFORDABILITY CONTROLS FOR ACCESSORY APARTMENT UNIT  
LOCATED AT BLOCK 178, LOT 2, COMMONLY KNOWN AS 25 NEVADA  
AVENUE**

**WHEREAS**, pursuant to the Fair Housing Act, the Township of Middletown (the “**Township**”) is responsible for the administration of affordable housing units within its borders; and

**WHEREAS**, the Township and Jeffrey Paris and Linda Paris (the “**Owners**”) entered into an Affordable Housing Agreement, Declaration of Covenants, Conditions and Restrictions of Accessory Apartments (the “**Agreement**”) dated May 11, 2012, effective November 1, 2012 (the “**Effective Date**”), relating to certain real property located at Block 178, Lot 2 on the official tax map of the Township of Middletown, County of Monmouth, and more commonly known as 25 Nevada Avenue (the “**Property**”) owned by the Owners; and

**WHEREAS**, the Agreement was recorded in the Office of the Monmouth County Clerk on October 25, 2012 in Deed Book: OR-8978 at Page 2087&c against the Property; and

**WHEREAS**, pursuant to the Agreement, the Owners were restricted to rent the accessory apartment (the “**Accessory Apartment**”) situated on the Property to certified modified income households only in order to maintain the affordability controls for a period of no less than ten (10) years from the Effective Date; and

**WHEREAS**, pursuant to Agreement, the affordability controls, covenants and restrictions set forth in the Agreement (the “**Restrictions**”) expired on November 1, 2022 (the “**Expiration Date**”); and

**WHEREAS**, the Expiration Date has passed, and the Owners have requested that the Restrictions be discharged and released from the Property’s title; and

**WHEREAS**, it is the recommendation of the Township’s Director of Planning and Township Administrator to release the Restrictions on the Property by executing a Quit Claim Deed Releasing Ownership Unit from Affordability Controls attached hereto as Exhibit A as the Owner is not required to and/or was not willing to renew the Property’s affordability controls.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the

Township's Administrative Agent is hereby authorized in accordance with N.J.A.C. 5:80-26.5(i) to take all necessary actions required to release the affordable housing restrictions on the Property.

**BE IT FURTHER RESOLVED** that the Mayor, Township Clerk and Township Attorney are authorized to execute the appropriate release and all documents necessary to effectuate the release the affordable housing restrictions on the Property as set forth herein.

**BE IT FURTHER RESOLVED** that if any sentence, paragraph or section of this resolution, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action an sentence, paragraph or section of this resolution shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this resolution.

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon passage according to law.