

RESOLUTION NO. 23-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING AND DIRECTING THE TOWNSHIP OF
MIDDLETOWN'S PLANNING BOARD TO UNDERTAKE A PRELIMINARY
REDEVELOPMENT INVESTIGATION TO DETERMINE WHETHER THE DELINEATED
AREA OF BLOCK 825, LOT 55.01 (COMMERCIAL TRACT OF THE CIRCUS LIQUORS
REDEVELOPMENT PLAN AREA) SATISFIES THE CRITERIA FOR DESIGNATION AS
AN AREA IN NEED OF REDEVELOPMENT FOR CONDEMNATION PURPOSES**

WHEREAS, N.J.S.A. 40A:12A-1 et seq., the Local Redevelopment and Housing Law ("**LRHL**"), sets forth the criteria for a determination of whether a delineated area of a municipality may be designated as an area in need of redevelopment; and

WHEREAS, N.J.S.A. 40A:12A-6 authorizes the Township of Middletown (the "**Township**") to adopt a resolution directing its Planning Board to conduct a preliminary investigation to determine whether a delineated area is an area in need of redevelopment according to the criteria set forth under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, on December 18, 2017, pursuant to Resolution No. 17-294, the Township previously designated Block 825, Lot 55.01 (formerly Lots 53-57, 59-68, 69.01, 72-79 and 81) as an "area in need of redevelopment" for non-condemnation purposes; and

WHEREAS, the Township now desires to investigate whether Block 825, Lot 55.01 qualifies as an "area in need of redevelopment" for condemnation purposes to advance a commercial redevelopment project proposed by the designated redeveloper of Block 825, Lot 55.01; and

WHEREAS, the Township seeks to authorize its pre-qualified redevelopment planner, DMR Architects ("**DMR**"), to assist the Planning Board in its preliminary investigation of Block 825, Lot 55.01 to determine if the delineated area qualifies as an area in need of redevelopment for condemnation purposes pursuant to the criteria set forth under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, as follows:

1. The Planning Board is hereby authorized and directed to undertake a preliminary redevelopment investigation of Block 825, Lot 55.01 to determine whether it warrants being designated as an “area in need of redevelopment” for condemnation purposes according to the criteria set forth under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3.
2. DMR is hereby authorized to assist the Planning Board in its preliminary investigation of Block 825, Lot 55.01, and to begin preparation of an amended Redevelopment Plan in the event the Planning Board recommends that all or some of the delineated area of investigation constitutes an “area in need of redevelopment” for condemnation purposes.
3. The Township Administrator, DMR, Township Planner, and Township Attorney are each hereby authorized and directed to take any necessary and appropriate actions in connection with the investigation of the delineated area of investigation, and are hereby authorized and directed to take such actions, including but not limited to, the negotiation of any and all documents necessary to undertake the investigation.
4. This Resolution shall become effective immediately upon adoption.