

RESOLUTION NO. 22-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION DESIGNATING KOLBER PROPERTIES, LLC AS REDEVELOPER OF BLOCK 70,
LOTS 1, 2 AND 3 WITHIN THE NORTH MIDDLETOWN REDEVELOPMENT PLAN AREA**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. ("**LRHL**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, on June 16, 2014, pursuant to Resolution No. 14-167, the Township of Middletown (the "**Township**") directed the Planning Board to conduct an investigation to determine whether the properties identified as Block 70, Lots 1, 2 and 3 (the "**Property**") on the official tax map of the Township meets the criteria set forth under N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3 for designation as an area in need of redevelopment for non-condemnation purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on August 6, 2014, a hearing would be held for the purpose of hearing persons who are interested in or would be affected by a determination that the Property is an area in need of redevelopment; and

WHEREAS, on August 6, 2014, the Planning Board unanimously recommended that the governing body of the Township designate the Property as an area in need of redevelopment; and

WHEREAS, on August 18, 2014, pursuant to Resolution No. 14-222, the Township concurred with the Planning Board's findings and designated the Property as an area in need of redevelopment for non-condemnation purposes; and

WHEREAS, on November 16, 2015, pursuant to Ordinance No. 2015-3153, the Township adopted the North Middletown Redevelopment Plan (the "**Redevelopment Plan**") establishing new zoning for the Property; and

WHEREAS, for many years and through various RFP processes the Township has sought, but failed to secure interest from any prospective redevelopers; and

WHEREAS, on January 31, 2022, the Township received an expression of interest from Kolber Properties, LLC (the "**Redeveloper**") to be designated as the redeveloper of the Property; and

WHEREAS, the Township has determined that the Redeveloper has the necessary background, experience and financial capability to complete a viable project on the Property; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8 and N.J.S.A. 40A:12A-9, the Township and Redeveloper wish to enter into negotiations to enter a Redevelopment Agreement, which shall define and memorialize the respective obligations of the parties with regard to proceeding with the redevelopment of the Property pursuant to the requirements of the Redevelopment Plan.

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

1. The Redeveloper is hereby designated as the redeveloper of Block 70, Lots 1, 2 and 3 for all purposes under the LRHL subject only to entry of an acceptable Redevelopment Agreement with the Township within 120 days.
2. The Mayor or Township Administrator are hereby authorized and directed to take all actions and to execute any and all documents necessary to effectuate this resolution in consultation with the Township Attorney.
3. This Resolution shall take effect immediately.