

LEGAL NOTICE

**BOROUGH OF EMERSON LAND USE BOARD
NOTICE OF HEARING ON
CONDEMNATION REDEVELOPMENT AREA DESIGNATION**

PLEASE TAKE NOTICE THAT:

- (a) The Emerson Land Use Board will be conducting a public hearing on **December 8, 2016 at 8:00 P.M.** in the Emerson Borough Hall located at 146 Linwood Ave., Emerson, NJ 07630 to consider recommending to the Borough Council whether certain areas located in the Central Business District, listed below (the "Study Area"), meet the statutory criteria to be designated as a Condemnation Redevelopment Area, in accordance with the New Jersey Local Redevelopment and Housing Law, and to hear all persons interested in or would be affected by the designation;
- (b) The Study Area consists of the following blocks and lots:

Block	Lot(s)
412	1, 2, 3, 4 & 5
419	1, 2, 3, 4, 5, 6.01, 6.02, 7, 8, 9 & 10
420	2 & 16
422	1, 10, 11, 12, 13, 14, 15, 16, 17 & 18
603	2, 3, 4, 5 & 6
606	3 & 4
610	1, 2, 4, 5.01, 5.02, 6, 7, 8, 9.01, 9.02 & 10
613	1 & 2
615	1
616	1, 2, 16, 17, 19, 20, 21, 22, 23 & 24
617.01	1, 2.02, 8 & 9
213	1, 2, 3, 4, 5 & 6
214	1.02, 5.02, 6, 7, 8.01, 8.02, 9
405	1, 2, 3.01, 3.02, 4, 12, 13, 14

- (c) A copy of a map showing the boundaries of the Study Area (including, the blocks and lots listed above) with a statement of the basis for the investigation is on file in the Office of the Borough Clerk, located at 146 Linwood Ave., Emerson, NJ 07630, and is available for inspection Monday through Friday from 8:30 a.m. to 4:00 p.m. on regular business days;
- (d) All persons who are interested in or would be affected by a determination that the Study Area is a Condemnation Redevelopment Area may be heard at the time of the hearing;

- (e) The designation will operate as a conclusive finding of public purpose which authorizes the Borough or its designated redevelopment entity to use all those powers provided by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., including the power of eminent domain, to acquire or condemn the parcels comprising the Condemnation Redevelopment Area; and
- (f) In accordance with the Rules of Civil Practice in the Superior Court of New Jersey, the owner of any parcel of land located within the designated Condemnation Redevelopment Area has a period of forty-five (45) days from the receipt of notice from the Borough to challenge the Borough Council's designation by appropriate action filed in the Superior Court of New Jersey, Law Division.

Should you have any questions regarding this legal notice please contact the Borough Clerk at (201)262-6086.

BY ORDER OF THE LAND USE BOARD OF THE BOROUGH OF EMERSON, NEW JERSEY.

STATEMENT OF BASIS FOR INVESTIGATION

The Borough of Emerson is currently coordinating the redevelopment of the downtown central business district in an effort to utilize the land more efficiently and to fulfill its affordable housing obligation.

On July 8, 2015, the Borough filed a Declaratory Judgment Action in the Superior Court of New Jersey Bergen County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"). By Court Order dated August 3, 2016, the Superior Court has extended the Borough's temporary immunity to October 31, 2016, while the Borough continues to prepare a Housing Element and Fair Share Plan as directed in the Supreme Court Decision. The Court's extension of temporary immunity was granted on the condition that the Borough participates in mediation initiated by the Court-appointed Special Master. The Court-appointed Special Master has requested the Borough explore potential zoning changes and additional development opportunities to address the Borough's unmet need.

In an effort to fulfill this obligation, the Mayor and Council have determined that a supplemental study of areas previously designated as "an area in need of redevelopment" be conducted to ensure that the designated area continues to meet the statutory criteria set forth in the Local Redevelopment and Housing Law and be designated as a Condemnation Redevelopment Area. Furthermore, the Mayor and Council have determined that a preliminary investigation of additional properties be conducted for designation as a Condemnation Redevelopment Area. The properties comprising the Study Area include the following Blocks and Lots:

Block	Lot(s)
412	1, 2, 3, 4 & 5
419	1, 2, 3, 4, 5, 6.01, 6.02, 7, 8, 9 & 10
420	2 & 16
422	1, 10, 11, 12, 13, 14, 15, 16, 17 & 18
603	2, 3, 4, 5 & 6
606	3 & 4
610	1, 2, 4, 5.01, 5.02, 6, 7, 8, 9.01, 9.02 & 10
613	1 & 2
615	1
616	1, 2, 16, 17, 19, 20, 21, 22, 23 & 24
617.01	1, 2.02, 8 & 9
213	1, 2, 3, 4, 5 & 6
214	1.02, 5.02, 6, 7, 8.01, 8.02, 9
405	1, 2, 3.01, 3.02, 4, 12, 13, 14

The map annexed hereto, outlines the boundaries and the location of the above noted eighty-four (84) parcels of property that comprise the area to be studied by the Land Use Board for designation as a Condemnation Redevelopment Area.

