TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER
ORDINANCE NO. 2026-12

AN ORDINANCE AUTORIZING THE CONVEYANCE OF PROPERTY KNOWN AS 22 EVAN AVENUE (BLOCK 48, LOT 39) TO HABITAT FOR HUMANITY OF SOUTH CENTRAL NEW JERSEY FOR THE DEVELOPMENT AND MAINTENANCE OF AFFORDABLE HOUSING

WHEREAS, the Township of East Windsor and Habitat for Humanity of South Central New Jersey (hereinafter referred to as "HHSC") entered into a Memorandum of Understanding, dated January 20, 2026 as authorized by East Windsor Township Council Resolution R2026-019, adopted on January 29, 2026 (the "MOU), with regard to the construction of ten units of affordable single family homes and duplexes on properties located on Evan Avenue and Daniel Street to assist the Township in satisfying its affordable housing fair share obligations; and

WHEREAS, the Township and HHSC are ready to proceed with the construction of affordable housing on the property located at 22 Evan Avenue, Block 48, Lot 39 ("the Property"); and

WHEREAS, the Township seeks to convey the Property to HHSC for the purpose of developing the Property in accordance with the MOU, by a Bargain and Sale Deed in the form attached; and

WHEREAS, in accordance with N.J.S.A. 40A:12-21, the bargain and Sale Deed includes a reverter provision stating that if the Property is not used solely for the purpose of providing affordable dwelling units for sale to low and moderate-income households, in accordance with the MOU and with the Township's Housing Element and Fair Share Plan of the Master Plan, title to the Property shall revert to the Township; and

WHEREAS, this conveyance is also made in accordance with the Consent Order Conditional Compliance Certification (N.J.S.A. 52:27D-304(q)) entered on January 29, 2026 by the Superior Court, Law Division-Mercer County In The Matter of the Application of the Township of East Windsor, County of Mercer, Docket No. L-236-25;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of East Windsor as follows:

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute and deliver a Bargain and Sale Deed, and any other instruments that may be necessary, to Habitat for Humanity of South Central New Jersey, 530 Route 38 East, Maple Shade, New Jersey 08052, for the property known as 22 Evan Avenue, Block 48, Lot 39, for the nominal consideration of $10.00, in the form attached hereto, subject to the further condition that the deed from HHSC to a qualified low or moderate-income household shall be subject to an Affordable Housing Deed Restriction in a form acceptable to the Township, which ensures that the Property shall be used solely for the purpose of providing affordable dwelling units for low and moderate-income households, in accordance with the MOU and with the Township's Housing Element and Fair Share Plan of the Master Plan.

2. If any section, subsection or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this Ordinance.

3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

4. This Ordinance shall take effect twenty days after the publication of final adoption, as provided by law.

ATTEST:

_____	_____
ALLISON QUIGLEY	**JANICE S. MIRONOV**
Municipal Clerk	Mayor

Introduced:
Adopted:
Effective Date: