

40:60-51.2

December 17, 1970

LEGISLATIVE NOTES ON R.S.40:60-51.2
(Sale of land for municipal use)

Similar bills introduced 1965-1970.

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1965 - A630 (Hiering)
Withdrawn from files.

1966 - S190 (Stamler, Bigley, Schelz)
Passed Senate.
Died in Assembly Committee.
No statement.

1969 - A949 (Wilentz and Parker).
No statement.

L.1970 - Chap.43 - S729.
April 2 - Introduced by Kay.
Not amended during passage.
No statement.

JH/EH

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SENATE, No. 729

STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1970

By Senator KAY

Referred to Committee on County and Municipal Government

AN ACT to amend the title of "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article 2 of chapter 60 of Title 40 of the Revised Statutes," approved March 27, 1943 (P. L. 1943, c. 33), as said Title was amended by P. L. 1946, chapter 140, so that the same shall read "An act to authorize any municipality to waive, release, modify or subordinate any terms, covenants, conditions, limitations or reverters imposed in sales and conveyances of lands as to the erection, alteration or demolition of buildings or any other use to be made of land imposed by said municipality, and supplementing article 2 of chapter 60 of Title 40 of the Revised Statutes," and to amend the body of said act.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. The title of P. L. 1943, chapter 33, as said title was amended
2 by P. L. 1946, chapter 140, is further amended to read as follows:
3 An act to authorize any municipality to waive, release [or], modify
4 or subordinate any terms, covenants, conditions [or], limitations
5 or reverters imposed in sales and conveyances of lands as to the
6 erection, alteration or demolition of buildings or any other use to
7 be made of land imposed [in sales and conveyances of lands] by
8 said municipality, and supplementing article 2 of chapter 60 of
9 Title 40 of the Revised Statutes.

1 2. Section 1 of P. L. 1943, chapter 33 (C. 40:60-51.2) is amended
2 to read as follows:

3 1. Any municipality is authorized and empowered, by resolution
4 of the governing body thereof, to waive, release [or], modify or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

5 *subordinate* any terms, covenants, conditions **[or]**, limitations or
6 *reverters imposed in sales and conveyances of lands* as to the crea-
7 tion, alteration or demolition of buildings or any other use to be
8 made of land heretofore imposed by said municipality **[in sales and**
9 **conveyances of land by such municipality]** *to accomplish the pur-*
10 *poses for which such lands were sold and conveyed either* at public
11 or private sale made prior to January 1, 1969, but only after public
12 hearing held before such governing body, of the holding of which
13 notice describing the lands in question, and the terms, covenants,
14 conditions **[or]**, limitations *or reverters* to be waived, released **[or]**,
15 modified *or subordinated*, and, if to be modified *or subordinated*,
16 describing the manner in which the same shall be modified *or sub-*
17 *ordinated*, shall first have been given by advertisement published
18 once each week for 2 weeks in a newspaper published in said mu-
19 nicipality or, if no newspaper be published therein, then in a news-
20 paper circulating in such municipality, provided, however, that the
21 power herein granted shall not be exercised to impair any vested
22 or contractual rights of third parties.

1 3. This act shall take effect immediately.