RO-42-05

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY AND PROVIDING FOR THE APPROPRIATION OF $300,000 FROM THE "RESERVE FOR OPEN SPACE" OF THE CAPITAL ACCOUNT

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the owner of Block 51, Lot 24 has offered to sell said property to the Washington Township Land Trust and to the Township of Washington as tenants-in-common; and

WHEREAS, the a contract has been negotiated with the owners, Bernard C. Covalesky, John B. Covalesky and James V. Covalesky, for the acquisition of said property; and

WHEREAS, the Township Committee of the Township of Washington has determined that it is in the interest of the Township to purchase a 90.2% interest in the property known as Block 51, Lot 24 as a tenant in common with the Washington Township Land Trust which will acquire a 9.8% interest in the property.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Washington, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. The Township of Washington hereby authorizes the acquisition of a 90.2% interest in property identified as Block 33, Lot 94.02 as shown on the Tax Map of the Township of Washington for public use which property is to be conveyed to the Township by purchase from Bernard C. Covalesky, John B. Covalesky and James V. Covalesky for the total sum of $1,050,000, $700,000 of which is being funded by a grant from the Morris County Open Space Trust Fund and $102,850 from a grant to the Washington Township Land Trust from the New Jersey Department of Environmental Protection and the balance of $247,150 from the Township of Washington.

SECTION 2. There is hereby appropriated the total amount of $1,000,000, the sum of $700,000 from a grant from the Morris County Open Space Trust Fund and the sum of $300,000 for the acquisition and closing costs from the Capital Account entitled "Reserve for Open Space" of the Township of Washington, County of Morris, State of New Jersey.

SECTION 3. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.

SECTION 4. No debt is to be authorized by the enactment and passage of this ordinance.

SECTION 5. All ordinances of the Township of Washington, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 7. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

_____
Dianne S. Gallets, Township Clerk

By:_____
Kenneth W. Short, Mayor