

**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 \$103,000 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 33, Lot 94.02 has offered to sell said property to the State of New Jersey, Department of Environmental Protection (NJDEP) and to the Township of Washington as tenants-in-common; and

**WHEREAS**, the NJDEP has negotiated a contract with the owner, Carlos Medina, 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 28% interest in the property known as Block 33, Lot 94.02 as a tenant in common with the NJDEP which will acquire a 72% 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 28% 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 Carlos Medina for the total sum of \$103,000.00.

**SECTION 2.** There is hereby appropriated the sum of \$103,000 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All ordinances of the Township of Washington, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.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, Clerk

By: \_\_\_\_\_  
Kenneth Short, Mayor