

RO-29-05

**AN ORDINANCE AUTHORIZING THE
ACQUISITION OF CERTAIN REAL PROPERTY
IN THE TOWNSHIP OF WASHINGTON, COUNTY
OF MORRIS, AND STATE OF NEW JERSEY**

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 Township Committee of the Township of Washington has determined that it is in the interest of the Township to acquire various easements and parcels of real property in connection with the Naughtright Road Improvements Project, as described on the attached Schedule A.

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 the easements and parcels of land in fee as described on the attached Schedule A for public roadway purposes 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.

SECTION 2. 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 3. No debt is to be authorized by the enactment and passage of this ordinance, since funds for the Naughtright Road Improvements Project were appropriated by ordinance #19-05, adopted May 16, 2005.

SECTION 4. All ordinances of the Township of Washington, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.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 5. 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 6. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WASHINGTON

Dianne S. Gallets, Clerk

Kenneth Short, Mayor

CERTIFICATION

I, Dianne S. Gallets, Clerk of the Township of Washington, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township at a meeting held on August 15, 2005.

Dianne S. Gallets, Clerk

Dated:

SCHEDULE A

<u>Property</u>	<u>Owner</u>	<u>Interest to be acquired</u>
Block 13, Lot 45.04	Barkman, Jon R. & Amy M., h/w	Permanent Slope Easement and 1,973.51 sq. ft. in fee simple
Block 13, Lot 45.02	Davenport, Stanley W. & Rose, h/w	Permanent Slope Easement and 5,842.74 sq. ft. in fee simple
Block 13, Lot 45.03	Horutz, Thomas & Kristen	Permanent Slope Easement and 2,512.90 sq. ft. in fee simple
Block 25, Lots 66 & 68	Raupp, Gordon A & Cheryl G., h/w	219.91 sq. ft in fee simple from Lot 66 and 6,851.11 sq. ft. in fee simple from Lot 68
Block 25, Lot 67	Steele, Ronald E. & Sara J., h/w	17,565.46± sq. ft. in fee simple
Block 13, Lot 45.01	Tamburri, Pasqualino & Darcy L., h/w	Permanent Slope Easement and 8,756.14± in fee simple
Block 13, Lot 42	Winslow, Sharon	Entire lot in fee simple

The interests to be acquired by the Township are depicted on a Right of Way Acquisition Map dated 12/31/01 prepared by Anderson & Denzler Assoc. Inc., a copy of which is on file in the office of the Township Clerk.