

RO-34-05

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON,
COUNTY OF MORRIS, AND STATE OF NEW JERSEY
AUTHORIZING THE ACQUISITION BY PURCHASE OR
CONDEMNATION OF A PORTION OF BLOCK 34, LOT 46 AS
SHOWN ON THE OFFICIAL TAX ASSESSMENT MAP OF THE
TOWNSHIP OF WASHINGTON**

WHEREAS, Block 34, Lot 46 is a private parcel of land in the Township of Washington; and

WHEREAS, the above-referenced property has been the subject of evaluation for acquisition since 2003; and

WHEREAS, a study was conducted by the Township Planner, David Banisch, dated July 27, 2005, a copy of which is on file in the Office of the Township Clerk, to assess the most desirable land for the Township to develop a community center; and

WHEREAS, the above-referenced property was included in the aforementioned study and identified as an area that would be desirable for a community center; and

WHEREAS, various recommendations were made with respect to the ultimate public use of the property; and

WHEREAS, said recommendations included, but were not limited to, a community center and land that may be utilized for the construction of a "by-pass" roadway; and

WHEREAS, the Township desires to obtain this property to develop a community center for the residents of the Township and for the construction of a by-pass roadway to be constructed by the County of Morris; and

WHEREAS, acquisition of this property is consistent with the recreation goals expressed in the Township's Master Plan; and

WHEREAS, pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1 et seq., a municipality may acquire private property to protect the public and for public uses, such as recreation, open space and/or for conservation purposes; and

WHEREAS, the Township wishes to acquire approximately 34± acres of Block 34, Lot 46 in accordance with the description attached hereto as Exhibit A and prepared by Associated Consultants.

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. A portion of Block 34, Lot 46 totaling approximately 34± acres of land is necessary for public recreation and transportation purposes for the reasons stated in the study prepared by the Township Planner, David Banisch, dated July 27, 2005.

SECTION 2. The Township Attorney and any and all municipal officials are hereby authorized and directed to undertake any actions and execute any documents necessary or appropriate to acquire the property either by purchase or condemnation in accordance with the Eminent Domain Act, N.J.S.A. 20:3-1 et seq.

SECTION 3. The Township Administrator is hereby authorized and directed to solicit proposals from surveyors, title insurers, appraisers and any other professionals necessary or appropriate to implement the purpose of this Ordinance.

SECTION 4. The Township's Chief Financial Officer has certified that funds are available for this acquisition.

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

EXHIBIT A

DESCRIPTION

DESCRIPTION of a tract of land being Tax Map Lot 46.04 in Block 34 all situate, lying and being in the Township of Washington, County of Morris and the State of New Jersey and being more particularly described as follows:

BEGINNING at a point in the centerline of West Mill Road - County Route No. 513, a sixty-six foot wide public right-of-way, said point being the northwest corner of lands of the Township of Washington (Tax Map Lot 46.03- Block 34) and running thence along the lines of same the two following courses,

- 1) S33⁰41'33"E-300.00 feet to a point; thence,
- 2) N56⁰18'27"E- 195.09 feet to a point in the line of lands of the Washington Township Board of Education (Tax Map Lot 49- Block 34); thence along the lines of same the following two courses,
- 3) S30⁰36'23"E- 1093.36 feet to a point; thence,
- 4) N59⁰23'37"E- 443.09 feet to a point in the line of Tax Map Lot 50 in Block 34; thence along same,
- 5) S32⁰15'38"E- 410.00 feet to a point; thence the following eight courses along the lines of Tax Map Lot 46 in Block 34,
- 6) S62⁰44'08"W- 1699.30 feet to a point; thence,
- 7) N28⁰36'43"W- 374.14 feet to a point; thence,
- 8) N59⁰17'23"E- 560.00 feet to a point; thence,
- 9) N30⁰33'59"W- 493.69 feet to a point; thence,
- 10) N39⁰43'28"E- 53.11 feet to a point; thence,
- 11) N30⁰33'59"W- 165.00 feet to a point; thence,
- 12) S79⁰08'34"W- 53.11 feet to a point; thence,
- 13) N30⁰33'59"W- 523.28 feet to a point in the aforesaid centerline of West Mill Road JJ- County Route No. 513; thence along same the two following courses,
- 14) N49⁰13'08"E- 30.79 feet to a point; thence,
- 15) N46⁰49'41"E- 436.82 feet to the point and place of BEGINNING.

CONTAINING 33.843 acres (1,474,194 sq. ft.) of land, more or less.

SAID TRACT IS SUBJECT TO THE RIGHTS OF THE PUBLIC, AS THEY MAY EXIST, in and along said West Mill Road, County Route No. 513.

All according to a DESCRIPTION prepared by the office of Associated Consultants, 530 East Main Street, PO Box 383, Chester, NJ 07930.

Dated: June 24, 2005

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