

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: _____

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING THE ACQUISITION OF CERTAIN PARCELS OF LAND
FOR OPEN SPACE LOCATED AT 146 AND 148 PROSPECT PLAINS ROAD,
AND APPEARING ON THE OFFICIAL MUNICIPAL TAX MAPS AS
BLOCK 27.02, LOT 18.05 AND BLOCK 27.02, LOT 18.04**

WHEREAS, Lewis Petrone (“Petrone”) owns real property commonly known as 146 Prospect Plains Road, identified on the official Tax Maps of the Township of Monroe as Block 27.02, Lot 18.05 and 148 Prospect Plains Road, identified on the official Tax Maps of the Township of Monroe as Block 27.02, Lot 18.04 in the County of Middlesex, and State of New Jersey (collectively “the Properties”); and

WHEREAS, the Properties abuts Memorial Tree Park in the Township of Monroe; and

WHEREAS, the Township of Monroe Planning Board has included the Properties in its Master Plan as properties targeted for acquisition as Open Space; and

WHEREAS, in or about June 2015 Petrone offered to sell the Properties to the Township of Monroe; and

WHEREAS, Petrone has agreed to sell the Properties to the Township of Monroe for consideration of Five Hundred Eighty-Five Thousand Dollars (\$585,000.00); and

WHEREAS, the Township of Monroe, Chief Financial Officer, has verified that there are sufficient funds remaining from the issuance of bonds pursuant to the Open Space Acquisition Bond Ordinance O-8-2000-026, to pay for the aforesaid acquisition;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe, in the County of Middlesex, State of New Jersey as follows:

Section 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to execute any and all documents as are reasonably necessary to acquire, including by condemnation or other acquisition, title to:

- (a) All portions of the parcels of land identified as Lots 18.05 and 18.04 in Block 27.02, on the official Tax Maps of the Township of Monroe, as more particularly described on Exhibit “A”;
- (b) All improvements erected on, over and beneath aforesaid lands; and
- (c) All easements, rights-of-way or use, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands and all right, title and interest of the owners in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining aforesaid lands.

Section 2. The purchase price for the Properties shall be Five Hundred Eighty Five Thousand Dollars (\$585,000.00), as determined through arm’s length negotiations.

Section 3. The Mayor and Township Clerk are hereby authorized to accept the Deeds transferring the Properties for open space, provided the Deeds are in a form satisfactory to the Township Attorney.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

GERALD W. TAMBURRO, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on September 9, 2015. Said Ordinance will again be read and considered for final passage at the regularly scheduled meeting of the Monroe Township Council to be held on October 5, 2015 at 7:00 p.m. at the Monroe Township Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

SHARON DOERFLER, Township Clerk

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

RICHARD PUCCI, Mayor

Date signed: _____