

**AN ORDINANCE OF THE TOWNSHIP OF NORTH BRUNSWICK IN THE
COUNTY OF MIDDLESEX, NEW JERSEY, TO ACQUIRE BY
NEGOTIATED AGREEMENT, REAL PROPERTY LOCATED WITHIN THE
TOWNSHIP OF NORTH BRUNSWICK FOR OPEN SPACE AND OTHER
GOVERNMENTAL PURPOSES**

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et. seq. the Township has the power to acquire real property for a public purpose; and

WHEREAS, pursuant to N.J.S.A. 40A:61-1, et seq. the Township may acquire land for open space and conservation purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

WHEREAS, the owners of the following block and lot, Edward and Joyce Shamy, has contacted municipal officials to sell the property to the Township at the current assessed value:

Block 4.02 Lot 2 Harold Street Assessed Value: \$16,000

WHEREAS, the Township desires to purchase certain land known as and designated on the Official Tax Map of the Township of North Brunswick for the purpose of open space and/or other governmental use, pursuant to a negotiated agreement for a consideration price of the assessed value; and

WHEREAS, the Chief Financial Officer for the Township of North Brunswick has determined that there are sufficient funds toward the acquisition of said property under Ordinance 00-07; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, Middlesex County, State of New Jersey:

1. The voluntary acquisition by negotiated agreement of the Property listed herein (the "Property") for the purpose of open space and/or other governmental use in the Township of North Brunswick for a total consideration of \$16,000 be and is hereby authorized using existing Capital Ordinances;

2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiation;

3. All outstanding liens (municipal and outside) shall be settled and deducted from the negotiated sale;

4. The Mayor and Council are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the Property; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

 Michael C. Hritz
 Director of Community Development

 Justine Progebin
 Business Administrator

 Ronald Gordon, Esq.
 Township Attorney (Approved legal form)

RECORDED VOTE FIRST READING: JANUARY 16, 2024

| COUNCIL MEMBER | YES | NO | ABSTAIN | NOTES |
|-----------------------|------------|-----------|----------------|--------------|
| MEHTA | | | | |
| GUADAGNINO | | | | |
| ANDREWS | | | | |
| DAVIS | | | | |
| SOCIO | | | | |
| HUTCHINSON | | | | |
| MAYOR WOMACK | | | | |

RECORDED VOTE SECOND READING: FEBRUARY 5, 2024

| COUNCIL MEMBER | YES | NO | ABSTAIN | NOTES |
|-----------------------|------------|-----------|----------------|--------------|
| MEHTA | | | | |
| GUADAGNINO | | | | |
| ANDREWS | | | | |
| DAVIS | | | | |
| SOCIO | | | | |
| HUTCHINSON | | | | |
| MAYOR WOMACK | | | | |

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on February 5, 2024.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date: _____, 2024