

**Township of Mahwah**

**Ordinance No. 1723**

**Authorizing the Acquisition by a Gift of Property Known as Block 96, Lots 14, 15, 16, and 17 in the Township of Mahwah**

**WHEREAS**, the Mayor and the Township Council of the Township of Mahwah (“Township”) find that there is a need for the acquisition of the properties designated as Block 96, Lots 14, 15, 16, and 17 on the Township’s current tax map (“the Property”) for open space preservation and other municipal purposes; and

**WHEREAS**, the owners of the Property offered a gift of the Property to the Township, and therefore there will be no cost of acquiring the Property for these public purposes; and

**WHEREAS**, the Township’s Planning Board adopted a resolution recommending the acquisition, after referral pursuant to N.J.S.A. 40:55D-31; and

**WHEREAS**, the purpose of this ordinance is to approve the acquisition of the Property, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.* and all other applicable laws.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

**Section 1:** The Township will acquire, by agreement, the Property by way of a gift to the Township, in accordance with the provisions of all applicable laws and legal standards. The acquisition will include, but will not be limited to, the acquisition of all easements, rights of way, leaseholds, and other estates in and to the Property. The Mayor, Township Clerk, Township

Business Administrator, and Township Attorney are authorized and directed to execute all documents necessary for the acquisition, including a contract for the purchase, which shall be in a form prepared by or approved by the Township Attorney.

**Section 2:** The Property is being acquired for open space preservation and other municipal purposes.

**Section 3:** The Township acquires the Property pursuant to all of the powers delegated to the Township pursuant to N.J.S.A. 40A:12-1 et seq.

**Section 4:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

**Section 5:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.


**Section 6:** This ordinance will take effect upon final approval and publication, according to law.

Ordinance No. 1723

Page: 3


Dated: June 5, 2013

Attest

  
Harry Williams  
Council President

  
Kathrine G. Coletta  
Municipal Clerk

I, Kathrine G. Coletta, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 30th day of May, 2013.

  
Kathrine G. Coletta, RMC/CMC/MMC  
Municipal Clerk