

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

ORDINANCE # 2018-12

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY
LOCATED AT 25 COMMERCE COURT AND IDENTIFIED ON THE TAX
MAPS AS BLOCK 1201, LOT 3.01 FOR PUBLIC USE**

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)*, the governing body of a municipality may provide for the acquisition of any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase contract; and

WHEREAS, pursuant to *N.J.S.A. 40:61-1(a)*, the governing body of a municipality may acquire, lay out, improve, embellish and maintain within and without the municipality, such public parks, squares, open spaces, playgrounds, beaches, water fronts and places for public resort and recreation, and also streets, avenues, boulevards and parkways leading to and connecting the same, as it may deem advisable, and extend and enlarge the same or any of them; and for such purposes, acquire, in fee or less estate, and by gift, devise, purchase or condemnation, any real estate, improved or unimproved, or interest therein, within or without the municipality, suitable therefor; and

WHEREAS, the Township of Verona (the "Township") desires to acquire the property located at 25 Commerce Court, which is identified on the Tax Maps of the Township as Block 1201, Lot 3.01 (the "Property") for the purpose of planning, developing and maintaining the property as open space and a public park, and for the development and maintenance of facilities for the Department of Public Works; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)*, *N.J.S.A. 40:61-1(a)* and the Eminent Domain Act of 1971 *N.J.S.A. 20:3-1 et seq.* (the "Eminent Domain Act") the Township is authorized to acquire the Property for a public purpose; and

WHEREAS, the acquisition of the Property for use as open space and public park, and for public work facilities constitutes a public purpose.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of Township of Verona, in the County of Essex, New Jersey, as follows:

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. The Township is hereby authorized to acquire the Property.

SECTION 3. The acquisition of the Property may be achieved by any of the following methods: (i) consummation of a purchase and sale contract by negotiations with the property owner, (ii) by a gift, grant, or contribution by the property owner, or (iii) by condemnation of the Property pursuant to *N.J.S.A. 40A:12-5(a)(1)* and/or *N.J.S.A. 40:61-1(a)* and the Eminent Domain Act.

SECTION 4. The Township Manager, Township Clerk, Township Attorney, Chief Financial Officer, and/or Special Counsel (collectively, the "Authorized Persons") are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to initiate and complete the acquisition of the Property, including but not limited to obtaining any studies, surveys, tests, soundings, borings, appraisals, title searches and title reports, as reasonably necessary to determine the value, boundary, ownership, interests or environmental condition of the Property.

SECTION 5. Any and all actions previously taken by the Authorized Persons in connection with the acquisition of the Property are hereby ratified and confirmed.

SECTION 6. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

SECTION 7. This ordinance shall take effect in accordance with applicable law.

ATTEST:

JENNIFER KIERNAN
MUNICIPAL CLERK

NOTICE

I HEREBY CERTIFY THAT THE AFOREMENTIONED ORDINANCE WAS PUBLISHED IN THE VERONA-CEDAR GROVE TIMES, A NEWSPAPER PUBLISHED IN THE COUNTY OF ESSEX AND CIRCULATED IN THE TOWNSHIP OF VERONA, IN THE ISSUE OF MAY 10, 2018 AND XXX.

JENNIFER KIERNAN
MUNICIPAL CLERK

INTRODUCTION: May 7, 2018
PUBLIC HEARING: May 21, 2018
EFFECTIVE DATE: