

**TOWNSHIP OF MANSFIELD  
WARREN COUNTY**

**ORDINANCE 2023-15**

**ORDINANCE AUTHORIZING THE PRIVATE SALE AND CONVEYANCE OF  
CERTAIN PROPERTIES OWNED BY THE TOWNSHIP OF MANSFIELD NOT  
NEEDED FOR MUNICIPAL PURPOSES TO THE COUNTY OF WARREN PURSUANT  
TO N.J.S.A. 40A:12-13(b)(1) & N.J.S.A. 40A:12-13.4.**

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13, *et seq.* authorizes the private sale of real property not needed for public use to any political subdivision, agency, department, commission, board, or body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Township of Mansfield (“Township”) is the owner of two (2) parcels of vacant land identified on the Official Tax Maps of the Township as Block 601.03, Lot 62.06 and Block 801, Lot 11.05 (collectively referred to as the “Properties”); and

**WHEREAS**, the Properties are situated adjacent to, or nearby Warren County Open Space lands which are preserved as part of the Morris Canal Greenway; and

**WHEREAS**, the County of Warren (“County”), a body corporate and politic of the State of New Jersey, through its Department of Land Preservation, has expressed a desire to acquire the Properties in accordance with the County’s Open Space Plan for the purposes of recreation and conservation, and subject to the Green Acres restrictions set forth at N.J.S.A. 13:8C-1 *et seq.* and N.J.A.C. 7:36 (“Green Acres Restrictions”); and

**WHEREAS**, the Township and County have agreed that the Properties shall be sold by the Township to the County for the purposes stated above, as follows:

<b>PARCEL</b>	<b>LAND ACREAGE</b>	<b>SALE PRICE</b>
Block 601.03, Lot 62.06	14.13 acres	\$29,000.00
Block 801, Lot 11.05	1.00 acre	\$15,000.000
<b>TOTAL</b>		<b>\$44,000.00</b>

**WHEREAS**, the Township Committee, after careful consideration and due diligent study, made a determination that the Properties are not now needed for municipal purposes, and recommend that the Properties be conveyed to the County of Warren for the purposes of recreation and conservation, and subject to the Green Acres Restrictions; and

**WHEREAS**, the Mayor and Committee have determined that it in the best interests of the Township of Mansfield to sell the Properties to the County pursuant to, and in accordance with N.J.S.A. 40A:12-13(b)(1) and N.J.S.A. 40A:12-13.4.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, and State of New Jersey, as follows:

1. The Township Committee hereby declares that the Properties are neither used nor presently or in the future needed for municipal public purposes.

2. The Mayor, Township Attorney, Township Clerk, and such other Township officials as the law may provide, are hereby authorized to prepare and execute such documents as may be required to effect the private sale of the Properties authorized by this Ordinance and transfer of title to the Properties to the County of Warren, including the "Agreement to Purchase Property" in substantially the form attached hereto, subject to final review and approval by the Township Attorney.

3. Pursuant to N.J.S.A. 40A:12-13.4, use of the Properties shall be deed restricted to public purposes such as recreation and conservation, and to the Green Acres restrictions set forth at N.J.S.A. 13:8C-1 et seq. and N.J.A.C. 7:36.

4. The contract and deed shall contain the following restrictive language:

*The lands being conveyed herein are being purchased with Green Acres funding and are subject to Green Acres restrictions as provided at N.J.S.A. 13:8C-1 et seq. and N.J.A.C. 7:36, as may be amended and supplemented, and the grantee herein agrees to accept these lands with the Green Acres restrictions, including restrictions against disposal or diversion to a use for other than recreation and conservation purposes.*

5. The conveyance of the Properties shall be done subject to all applicable Township Ordinances as well as all County and State laws, rules, and regulations.

6. The sale of the Properties is subject to final approval and funding by Green Acres.

7. If any article, section, subsection, sentence, clause, or paraphrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

8. In the event of any inconsistencies between the provisions of this ordinance and any prior ordinance of the Township of Mansfield, the provisions hereof shall be determined to govern.

9. This ordinance shall take effect immediately upon final passage and publication according to law.

Attest:

[Signature]  
Jo-Ann M. Ricks, Acting Township Clerk

[Signature]  
Joseph Watters, Mayor

**NOTICE**

**TAKE NOTICE** that the above-entitled Ordinance was introduced at a regular meeting of the Mansfield Township Committee, County of Warren, State of New Jersey held on May 24, 2023 It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the Township Committee Meeting Room, in the Mansfield Township Municipal Building, 100 Port Murray Road, in the Township of Mansfield on June 14, 2023 at which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Township Clerk's Office to the members of the general public who shall request the same.

[Signature]  
, Township Clerk

INTRODUCED/PASSED ON FIRST READING: 5/26/23

**Roll Call Vote**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Farino				✓
Mr. Hayes				✓
Mr. McGuinness	✓			
Mrs. Mora Dillon	✓			
Mayor Watters	✓			

PUBLISHED: 5/30/23

ADOPTED: 6/14/23

**Roll Call Vote**

COMMITTEE MEMBER	YES	NO	ABSTAIN	ABSENT
Mr. Farino	✓			
Mr. Hayes	✓			
Mr. McGuinness	✓			
Mrs. Mora Dillon	✓			
Mayor Watters	✓			

**ATTEST:**

[Signature]  
Jo-Ann M. Ricks  
Acting Municipal Clerk

[Signature]  
Joseph Watters  
Mayor

