

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1768—2014

AUTHORIZING THE ACCEPTANCE BY THE TOWNSHIP OF HAMILTON OF THE UNCONDITIONAL GRANT OF LOT 3.01 IN BLOCK 1127 AS SHOWN ON THE TAX MAP FOR THE TOWNSHIP OF HAMILTON (FORMERLY PORTIONS OF FORMER LOTS 2 AND 3 IN BLOCK 1127) FROM THE COUNTY OF ATLANTIC AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

WHEREAS, the Township of Hamilton by Resolution dated June 12, 2012 entered into an Agreement of Sale with the County of Atlantic to acquire portions of former Lots 2 and 3 in Block 1127 on the Tax Map for Hamilton Township for the sum of \$1.00; and

WHEREAS, said former Lots 2 and 3 in Block 1127 were subdivided pursuant to an approval obtained from the Township of Hamilton Planning Board as memorialized in Planning Board Resolution 2013-008 dated December 5, 2013; and

WHEREAS, the newly formed Lot 3.01 in Block 1127 as referenced in Planning Board Resolution 2013-008 are the lands to be acquired from the County of Atlantic; and

WHEREAS, N.J.S.A. 40A:12-5 permits municipalities to acquire real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchases.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

SECTION 1. ACCEPTANCE OF UNCONDITIONAL GRANT.

The Mayor and other Township Officials are hereby Authorized to acquire title of Lot 3.01 in Block 1127 as shown on the Tax Map for the Township of Hamilton (formerly portions of former Lots 2 and 3 in Block 1127) in the Township of Hamilton, County of Atlantic and State of New Jersey, from the County of Atlantic by formalized by Quit Claim Deed.

SECTION 2. RESTRICTIONS OF RECORD.

The acquisition of Lot 3.01 in Block 1127 is subject to all deed restrictions or other lawful restrictions of record.

SECTION 3. SEVERABILITY and EFFECTIVENESS CLAUSE.

(a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or enforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance. Except that this Ordinance shall not survive any determination by a court of competent

jurisdiction that would result in this Ordinance authorizing the acquisition of title set forth in Section 1 hereto on a conditional basis or for good and valuable consideration.

(b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 4. EFFECTIVE DATE.

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

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC and
STATE OF NEW JERSEY

ATTEST:

Joan I. Anderson, R.M.C.
Township Clerk

ROGER SILVA, MAYOR

ORDINANCE NO. 1768-2014 INTRODUCED & PASSED FIRST READING April 21, 2014
ORDINANCE NO. -20 ADOPTED ,