

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY (A PORTION OF 72 WASHINGTON AVENUE, BLOCK 73, LOT 3.01) BY THE BOROUGH OF MILLTOWN**

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation; and

**WHEREAS**, the governing body of the Borough of Milltown desires to purchase certain real property currently owned by KCA Realty, which property is a portion of property known and designated as 72 Washington Avenue (Block 73, Lot 3.01), on the Official Tax Maps of the Borough of Milltown; and

**WHEREAS**, the governing body of the Borough of Milltown has determined that the real property is necessary for the purposes of obtaining sufficient ingress and egress to the public works facility / firehouse project which is in the process of being built; and

**WHEREAS**, this governing body, by virtue of the passage of Resolution No. 18-288, previously authorized the Mayor to negotiate and execute all documents necessary for the acquisition of the said property; and

**WHEREAS**, in contemplation of the acquisition, the Borough obtained an appraisal of the property dated May 13, 2018 from New Jersey Realty Advisory Group, LLC, which appraisal determined the value of the property, together with a temporary construction easement, to be \$12,750.00; and

**WHEREAS**, the governing body did negotiate with the Owner of the property for the purchase of same, together with a temporary construction easement, for the price as aforesaid; and the Owner, KCA Realty having accepted same; and

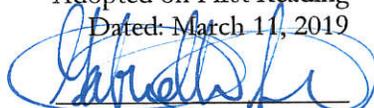
**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, any purchase of real property by a municipality must be effectuated by the passage of an ordinance; and

**WHEREAS**, the governing body has determined it to be in the best interests of the Borough and its residents for it to make the referenced acquisition of land;

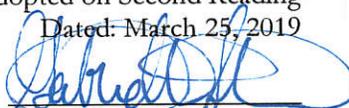
**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Milltown, in the County of Middlesex and State of New Jersey, as follows:

- Section 1.** The Mayor and Clerk are hereby authorized to execute a Deed for the purchase of certain real property known and designated as a portion of 72 Washington Avenue (Block 73, Lot 3.01), on the Official Tax Maps of the Borough of Milltown for the sum of \$12,750.00, including purchase of the acquisition and temporary construction easement, by the Borough of Milltown from KCA Realty.
- Section 2.** The Mayor and City Clerk are authorized to sign such documents as are deemed to be necessary, advisable and proper to acquire said real property.
- Section 3.** Ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed but only to the extent of such inconsistency.
- Section 4.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
- Section 5.** This Ordinance shall take effect immediately upon:
  - i. Adoption; and
  - ii. Publication in accordance with the laws of the State of New Jersey.

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent
Motion	Council President Dixon	X			
	Councilman Farkas	X			
	Councilwoman Kerber	X			
	Councilman Ligotti	X			
	Councilwoman Mehr	X			
Second	Councilman Revolinsky	X			

Adopted on First Reading  
Dated: March 11, 2019  
  
Gabriella Siboni, RMC  
Borough Clerk

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent
Motion	Council President Dixon	X			
	Councilman Farkas	X			
	Councilwoman Kerber	X			
	Councilman Ligotti	X			
Second	Councilwoman Mehr	X			
	Councilman Revolinsky	X			

Adopted on Second Reading  
Dated: March 25, 2019  
  
Gabriella Siboni, RMC  
Borough Clerk

Approval by the Mayor on this 26<sup>th</sup> day of March, 2019.

  
Eric A. Steeber, Mayor