

**TOWNSHIP OF HARDYSTON
ORDINANCE 2011-08**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING
THE ACCEPTANCE OF A GIFT OF LAND KNOWN AS
8 OLD ROUTE 23 IN BLOCK 38, LOT 3.02 PURSUANT
TO THE LOCAL LAND AND BUILDINGS LAW**

WHEREAS, pursuant to N.J.S.A. 48-2, the Township of Hardyston is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40:61-1 et seq., the Township of Hardyston may acquire lands for open space and conservation purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a)(1), the Township of Hardyston has the authority to acquire any real property for a public purpose by gift; and

WHEREAS, the owner of the property located at 8 Old Route 23 and designated as Block 38, Lot 3.02 on the Township of Hardyston Tax Map, desires to donate the property as a gift to the Township of Hardyston for the preservation of public health, safety and welfare of the residents as well as for Open Space preservation purposes; and

WHEREAS, the Township Council of the Township of Hardyston is committed to the preservation of Open Space within the Township of Hardyston, and it has determined that it would serve a public purpose for it to accept the gift of property from the owner of the subject land;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey, that it hereby authorizes the acceptance of the gift of land known as Block 38, Lot 3.02 on the official tax map of the Township of Hardyston, also known as 8 Old Route 23, Hardyston, New Jersey from the owner Lynn Rachel Colwell, to preserve Open Space within the Township of Hardyston; and

BE IT FURTHER ORDAINED, that the property shall be conveyed to the Township by Deed with covenants as to Grantor's acts to be reviewed and approved by the Township attorney; and

BE IT FURTHER ORDAINED, that the Mayor and Township Clerk are hereby authorized to executed any document as it would be necessary to effectuate said conveyance; and

BE IT FURTHER ORDAINED, that any section, paragraph, subsection, clause or provision of this Ordinance shall be judged by the Courts to be valid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinance or parts thereof in conflict with the provisions of this Ordinance, are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the passage and publication in accordance with the applicable law.

ATTEST:

Jane Bakalarczyk, Township Clerk

By: _____
Stanley J. Kula, Mayor

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on June 14, 2011. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on July 5, 2011, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON.

**JANE BAKALARCZYK, RMC/CMC
TOWNSHIP CLERK**