

Ordinance #2020-1230
Ordinance Of The Borough Of Manville, New Jersey,
Authorizing The Purchase Of Real Property At Block 180, Lot 31-32,
Located On Manville Avenue, Manville, NJ

STATEMENT OF PURPOSE

The purpose of this ordinance is to authorize the Borough of Manville to acquire, at a purchase price of \$1.00, real property at Block 180, Lot Block 180, Lot 31-32 ("The Property"), located on Manville Avenue, Manville, New Jersey.

BE IT ORDAINED by the Mayor and Council of the Borough of Manville in the County of Somerset and State of New Jersey, as follows:

WHEREAS, the Borough has determined that acquisition of The Property is of potential benefit to the Borough's green acres inventory, per consultation with the N.J. Department of Environmental Protection; and

WHEREAS, N.J.S.A. 40A:12-1, et seq. authorizes a municipality by Ordinance acquire real property by purchase, gift or other exchange; and N.J.S.A. 40A:12-5 requires that such acquisition be authorized by Ordinance; and

WHEREAS, the Borough Engineer has received and reviewed an environmental review of The Property, prepared by Van Cleef Engineering, and dated December 11, 2019; and the Borough Engineer has found the environmental review to be satisfactory; and

WHEREAS, the Borough has received a Title Report on The Property prepared by Raritan Valley Title Examiners, LLC, dated December 11, 2019, which as of that date identifies no encumbrances on The Property (except for the Tax Sale Certificate recorded at Book 7083, Page 2024 which per Section 2 of this Ordinance shall be paid and redeemed by the Seller prior to Closing), and whereas a final updated Title Report will be obtained and reviewed by the Borough Attorney prior to Closing; and

WHEREAS, the Mayor & Council have determined that acquisition of The Property for the sum of \$1.00 (one dollar) is in the best interests of the Borough of Manville;

NOW, THEREFORE, BE IT ORDAINED by the Mayor & Council of the Borough of Manville in the County of Somerset, New Jersey ("the Borough"), that:

SECTION 1. The Mayor, the Borough Administrator, the Borough Attorney, the Borough Engineer, and the Borough Tax Collector, are authorized to take such actions as are necessary, including but not limited to updated Title review, to effectuate the acquisition of The Property by the Borough, and the transfer of The Property to the Borough by way of a Quit-Claim Deed with Covenant Against Grantor's Acts, at an acquisition cost of \$1.00 (one dollar), **provided that** the Seller has complied with Section 2 of this Ordinance at least seven (7) business days prior to the Closing;

SECTION 2. The Seller shall pay not less than seven (7) business days prior to Closing, all sums due on any Tax Certificates pertaining to The Property, as calculated by the Borough Tax Collector, and must present to the Borough Clerk and Borough Tax Collector proof of redemption of any and all Tax Certificates pertaining to The Property;


SECTION 3. The Mayor, the Borough Administrator, the Borough Attorney, the Borough Engineer, the Borough Clerk, and the Borough Tax Collector are hereby authorized to prepare and execute such documents as are necessary to effectuate the intent of this Resolution

SECTION 4. Inconsistency: should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 5. Severability: in the event that any provision of this ordinance, or the application of thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, and to realize this intent, the provisions and application of this ordinance are declared to be severable.

SECTION 6. Purpose of Captions: captions contained in this ordinance have been inserted only for the purpose of facilitation reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 7. Effective Date: This Ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

Borough of Manville,

Richard M. Onderko, Mayor

ORDINANCE #2020-1230


FIRST READING:

ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		MAGNANI	✓			

	✓	LUKAC	✓			
		MAEDER	✓			
		PETROCK	✓			
✓		SZABO	✓			
		ZAMORSKI	✓			
		MAYOR ONDERKO				

INTRODUCED this 24th day of February , 2020


Attest: 
Wendy Barras, Borough Clerk

SECOND READING:

ROLL CALL

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		MAGNANI	✓			
	✓	LUKAC	✓			
		MAEDER	✓			
✓		PETROCK	✓			
		SZABO	✓			
		ZAMORSKI	✓			
		MAYOR ONDERKO				

[ADOPTED] [DEFEATED] this 9th day of March, 2020

Attest: 
Wendy Barras, Borough Clerk