

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2015:07

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,
COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING THE
ACQUISITION OF LAND KNOWN AS 805 SOUTH BEVERWYCK ROAD
(AND ALSO KNOWN AS “WESTBROOK FARMS”) (BLOCK 764, LOT
31) PURSUANT TO THE LOCAL LAND AND BUILDINGS LAW**

WHEREAS, pursuant to N.J.S.A. 40:61-1, et. seq., the Township of Parsippany-Troy Hills (the “Township”) may acquire lands for open space, conservation and recreation purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of has the power to acquire any real property for a public purpose through negotiated agreement or by the exercise of its powers of eminent domain; and

WHEREAS, the owner of certain real property located in the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, known as 805 South Beverwyck Road (and also known as “Westbrook Farms”) and shown on the official tax map of the Township of Parsippany-Troy Hills as Block 764, Lot 31 and containing approximately 3.45 acres (the “Property”), desires to sell same to the Township for a purchase price of approximately Seven Hundred Seventy Five Thousand United States Dollars (US\$775,000.00), which purchase price shall include the land, buildings and agreed-upon personal property and artifacts located thereon, 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 is committed to the preservation of open space within the Township and it has determined that acquisition of the Property would serve a public purpose.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, as follows.

SECTION 1. That each and every one of the foregoing recitals be and hereby are incorporated as if set forth at length herein; and

SECTION 2. That the Mayor be and hereby is authorized to negotiate and execute, and the Township Clerk be and hereby is authorized to witness, a contract or contracts for the acquisition of an approximately 3.45 acre portion of land known as 805 South Beverwyck Road (and also known as “Westbrook Farms”), shown as Block 764, Lot 31 on the official tax map of the Township of Parsippany-Troy Hills from the owner, Mr. Michael A. Nonio, for a purchase price of approximately Seven Hundred Seventy Five Thousand United States Dollars

(US\$775,000.00), subject to customary contractual provisions and adjustments, to preserve Open Space within the Township of Parsippany-Troy Hills; and

SECTION 3. That the aforementioned contract or contracts be in a form and contain substantive provisions in accordance with the requirements of this Ordinance and acceptable to the Township Attorney; and

SECTION 4. That the property shall be conveyed to the Township by Deed with covenants as to Grantor's acts, and other customary conveyance documents to be reviewed and approved by the Township Attorney; and

SECTION 5. That the Mayor and Township Clerk are hereby authorized to execute and deliver any document as would be necessary to effectuate said conveyance; and

SECTION 6. That should any section, paragraph, subsection, clause, or provision of this Ordinance be adjudicated invalid by a court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall survive and be deemed valid and effective; and

SECTION 7. That any Ordinance or parts thereof in conflict with the provisions of this Ordinance be and hereby are repealed to the extent of such conflict; and

SECTION 8. That this Ordinance shall take effect upon the passage and publication in accordance with the applicable law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Council of the Township of Parsippany-Troy Hills at a duly convened meeting held on _____, 2015, and adopted on _____, 2015.

Yancy Wazirmas, Township Clerk