

LEGAL NOTICE

TOWNSHIP OF PARSIPPANY-TROY HILLS MUNICIPAL ORDINANCES

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on **November 9, 2017** introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on **December 5, 2017** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

TOWNSHIP OF PARSIPPANY-TROY HILLS MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 2017:26

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION BY PURCHASE OF AN EASEMENT OVER CERTAIN PROPERTY IDENTIFIED AS BLOCK 421, LOT 48.

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Parsippany-Troy Hills ("Township") has the power to acquire an interest in real property for a public purpose through negotiated agreement; and

WHEREAS, Les J. Wu and Robin Herbison (collectively, the "Seller") are the title owners of that certain parcel of real property identified as Block 421, Lot 48 on the Township's official Tax Map and located along Manor Lake (the "Property"); and

WHEREAS, the rear southeasterly lot line of the Property abuts the Manor Lake Dam, which structure the Township is currently rehabilitating; and

WHEREAS, a certain portion of the Manor Lake Dam facilities and related rehabilitation improvements have been installed on a portion of the Property; and

WHEREAS, Seller is willing to grant to the Township a nonexclusive easement in perpetuity for purposes of inspecting, locating, relocating, installing, altering, extending, constructing, repairing, replacing, rebuilding, removing and perpetually operating and maintaining the Manor Lake Dam; and

WHEREAS, the Township is willing to assume the ownership and the rights, responsibilities and maintenance of the Manor Lake Dam; and

WHEREAS, in consideration for conveyance of said easement over the Property, the Township has agreed to pay to the Seller the amount of Six Thousand and 00/100 United States Dollars (US\$6,000.00); and

WHEREAS, the conveyance of the easement from Seller to the Township will incur closing costs including, but not limited to, a title search, survey, and administrative costs (collectively, the “Closing Costs”); and

WHEREAS, the Closing Costs for the Property are estimated to be Two Thousand 00/100 United States Dollars (US\$2,000.00).

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that:

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of an easement over the Property as defined hereinabove is hereby authorized.
3. The acquisition by negotiated purchase of an easement over the Property shall be funded, in the first instance, by the Township utilizing Township General Funds in an amount not to exceed Six Thousand and 00/100 United States Dollars (US\$6,000.00).
4. The expenditure of Closing Costs in an amount not to exceed Two Thousand and 00/100 United States Dollars (US\$2,000.00) is hereby authorized.
5. The Township Attorney and the Business Administrator are hereby authorized to take all actions necessary to acquire the easement over the Property through negotiated purchase.
6. The Mayor and Township Clerk are hereby authorized to execute and witness, respectively, any documents necessary to effectuate the purchase of the easement over the Property subject to the above terms.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, 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 only; and

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