

WEST AMWELL TOWNSHIP  
Ordinance 15, 2014

AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS  
BLOCK 28, LOT 35 IN THE TOWNSHIP OF WEST AMWELL FROM USMIANI

WHEREAS, there is within the Township of West Amwell (“the Township”) certain real property known as Block 28, Lot 35 on the official tax map of in the Township (“the Property”) which is owned by John Usmiani and Anita Usmiani (“Owner”) and consists of approximately 1.03+/- acres of land; and

WHEREAS, the Township of West Amwell (hereinafter “Township”) has determined that there is a need to the Property for open space and/or other public purposes and that such acquisition is in the best interests of the Township, as it is surrounded by other lands dedicated to open space purposes; and

WHEREAS, in the interest of negotiating a timely and mutually acceptable voluntary transaction between the Township and the owner of the Property, it is and has been the policy of the Township to negotiate with the owner of the Property on the basis of fair market value; and

WHEREAS, the Township is authorized pursuant to N.J.S.A. 40A:12-1 et seq. to acquire property for public purposes; and

WHEREAS, the Owner is willing to sell the property to the Township for the proposed price of \$23,000.00 (after partial charitable contribution), so as to preserve it for open space, conservation and recreation purposes; and

WHEREAS, the purchase is made subject to and in accordance with the conditions set forth in the Contract of Sale between the parties, as may be amended, which Contract is on file with the Township Clerk; and

WHEREAS, a satisfactory Deed, Affidavit of Title and other necessary closing documents from the Owner of the Property , in accordance with New Jersey Green Acres Program policy, rules and regulations, shall be submitted to the Township upon closing of title on the Property.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of West Amwell, in the County of Hunterdon and State of New Jersey, as follows:

Section One. The Township hereby authorizes the fee simple acquisition of the property known as Block 28, Lot 35 for conservation, open space and passive recreation purposes from John and Anita Usmiani for the amount of \$23,000.00 which purchase agreement is also hereby authorized, subject to adjustment as permitted in the contract of sale and contingent upon the Township’s receipt of the funding as applied for from the N.J. Green Acres program.

Section Two. On behalf of the Township Committee of the Township of West Amwell, the Mayor, Deputy Mayor, Township Clerk and Attorney, as appropriate, are hereby authorized and directed to take all reasonable, necessary and lawful steps including preparation and

execution of any and all contract and closing documents, documents needed to process the funding request through the N.J. DEP Green Acres Program in order to accomplish the fee simple acquisition of the property, including acceptance of the Deed and recording of same with the Hunterdon County Clerk's Office; they are further authorized and directed to make payment to the Owner of the Property, subject to the terms and conditions specified above.

Section Three. All ordinances or parts of ordinances deemed to be inconsistent with this Ordinance are hereby repealed.

Section Four. This Ordinance shall become effective immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

APPROVED BY TOWNSHIP COMMITTEE

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Lora L. Olsen, RMC, Township Clerk

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George A. Fisher, Mayor

#### NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed on first reading at a meeting of the governing body of the Township of West Amwell, in the County of Hunterdon , State of New Jersey, held on July 23, 2014. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held in the municipal building, 150 Rocktown-Lamb. Rd., Lambertville, N.J. on August 27, 2014 at 7:30 p.m. All interested parties will be heard at this time.