

**AMENDED
ORDINANCE 18-2014**

**AN ORDINANCE AUTHORIZING THE ACQUISITION FOR PUBLIC
USE OF FEE SIMPLE TITLE TO THE REAL PROPERTY DESIGNATED
AS BLOCK 292, LOT 1**

WHEREAS, the Aberdeen Township PBA Local 163 (the “PBA”), a New Jersey non-profit organization, is the owner of the real property designated as Block 292, Lot 1, on the official tax map of the Township of Aberdeen (the “Property”); and

WHEREAS, the Township of Aberdeen (the “Township”) desires to acquire from the PBA, and the PBA desires to convey to the Township, fee simple title to the Property; and

WHEREAS, pursuant to the Local Lands and Buildings Law (the “LLBL”), N.J.S.A. 40A:12-5(a)(1), the Township is authorized to purchase the Property from the PBA; and

WHEREAS, the LLBL, N.J.S.A. 40A:12-14, further authorizes the Township to lease a portion of the Property to the PBA for nominal or other consideration for a public purpose; and

WHEREAS, the PBA provides legal, disciplinary and other representation to its members and hosts and participates in charitable, civic and other community fundraisers, programs and events within the Township community which promotes the health, safety, morals and general welfare of the entire Township community; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Aberdeen, County of Monmouth, State of New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Township is hereby authorized to purchase the Property from the PBA and to lease a portion of the Property to the PBA for nominal consideration for a term of fifty (50) years with an option to extend for an additional twenty-five (25) years, exercisable at the sole discretion of the Township.

Section 3. The Township Manager, or her representative or designee, shall be responsible for enforcement of the conditions of the lease.

Section 4. The lease shall require the PBA to annually submit to the Township Manager a report setting out the use to which the leasehold was put during each year, the activities of the PBA undertaken in furtherance of the public purpose for which the leasehold was granted, and the approximate value or cost, if any, of such activities in furtherance of such purpose, and affirming the continued tax-exempt status of the PBA under State and Federal law.

Section 5. The Mayor, Township Administrator and/or Township Attorney (collectively, the “Authorized Persons”) are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to initiate and complete the acquisition of the Property and the lease to the PBA.

Section 6. Any and all actions previously taken by the Authorized Persons in connection with the acquisition and lease of the Property are hereby ratified and confirmed.

Section 7. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED THIS _____ DAY OF _____, 2014.