

TOWNSHIP OF ABERDEEN
ORDINANCE NO. 3-2015

AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONOUTH AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF THE REAL PROPERTY KNOWN AS BLOCK 259 LOTS 2 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ABERDEEN LOCATED AT 12 HARRISON AVENUE

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Aberdeen ("Township") is authorized to adopt an ordinance for the preservation of public health, safety, and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5 the Township of Aberdeen 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, under the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. the Township of Aberdeen has the power to acquire property through negotiated agreement or by exercising its powers of eminent domain through condemnation; and

WHEREAS, the property located at 12 Harrison Avenue, known as Block 259, Lot 2 on the official tax map of the Township of Aberdeen (the "Property") is located in the Aberdeen Commerce and Transportation Center Redevelopment Area (also known as the Aberdeen/Matawan Train Station Redevelopment Area); and

WHEREAS, in order to undertake the redevelopment contemplated by the Aberdeen/Matawan Train Station Redevelopment Area it is necessary for the Township to acquire the property located at 12 Harrison Avenue also known as Block 259, Lot 2 on the official tax map of the Township of Aberdeen;

WHEREAS, the Township Council of the Township of Aberdeen has determined that the acquisition of this property served the purposes of both the Redevelopment and Housing Law and the Redevelopment Plan and it would be a benefit to the health, welfare and safety of the citizens of the Township of Aberdeen for it to acquire that Property;

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

1. The Township of Aberdeen's acquisition by negotiation and/or by the exercise of its powers of eminent domain and condemnation of the lands known as 12 Harrison Avenue, also known as Block 259, Lot 2 on the official tax map of the Township of Aberdeen for the purposes described herein above, be and is hereby authorized and approved; and

2. The Township of Aberdeen shall pay the fair market value for the acquisition of the property and/or any interest therein which value shall be determined by an appraisal report prepared on behalf of the Township by a recognized and qualified appraiser;

3. The Township Attorney and the Township Manager are hereby authorized to take any and all actions necessary to acquire the property and/or any interest therein, either through negotiations or through the exercise of the Township's powers of eminent domain and condemnation; and

4. The Mayor and Township Clerk are hereby authorized to, respectively, execute and witness any documents or instruments necessary to acquire the property and/or any interests therein.

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 provisions to be adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

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

PASSED:

ADOPTED:

MUNICIPAL CLERK

COUNCIL PRESIDENT