

ORDINANCE 2024-01

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF A PORTION OF BLOCK 63, LOT 1.01 CONSISTING OF .657 ACRES FROM THE TOWNSHIP OF HARDYSTON TO THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION

WHEREAS, the Township of Hardyston is the owner of property known as 3490 NJ 94, Block 63, Lot 1.01 on the Tax Map of the Township of Hardyston; and

WHEREAS, the Mayor and Township Council do hereby determine that said property is no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey, specifically., N.J.S.A. §40A:12-13(b)(1); and

WHEREAS, the Township has been approached by the State of New Jersey Department of Transportation to purchase a portion of said property for its Route 23 and Route 94 Rockfall Mitigation Project; and

WHEREAS, the Mayor and Township Council desire to sell a portion of said property as depicted on the attached description to the State of New Jersey Department of Transportation for the total sum of \$5,000; and

WHEREAS, the Township makes no representations as to the title or any other aspects of the property being sold, including utility, sewer or rights of property owners' associations.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey as follows:

SECTION 1. The Township of Hardyston hereby authorizes the sale of a portion of the property known as 3490 NJ 94, Block 63, Lot 1.01, as depicted on the attached description, to the State of New Jersey Department of Transportation for its Route 23 and Route 94 Rockfall Mitigation Project for the total sum of \$5,000.

SECTION 2. The acceptance of a deed by the State of New Jersey Department of Transportation from the Township shall extinguish any claims the State of New Jersey Department of Transportation may against the Township in connection with the quality of the title conveyed or the rights and claims of others to the property that a title search may reveal or any environmental conditions.

SECTION 3. The Mayor, Township Manager, Township Clerk and Township Attorney, and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. All ordinances of the Township of Hardyston that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Frank Cicerale, Mayor

ATTEST:

Jane Bakalarczyk, Clerk

NOTICE

PLEASE TAKE NOTICE that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on January 24, 2024. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on February 28, 2024, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk