

TOWNSHIP OF MONTGOMERY

ORDINANCE NO. 18 – 1580

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY AUTHORIZING THE ACQUISITION BY GIFT OF PROPERTY IDENTIFIED AS BLOCK 7026 LOT 1 LOCATED ON FRANKLIN DRIVE IN THE TOWNSHIP OF MONTGOMERY

BE IT ORDAINED by the Township Committee of the Township of Montgomery in Somerset County as follows:

Section 1. Findings. The Township Committee hereby makes the following findings:

- A. ActLien Property Management, LLC is the owner (“**Owner**”) of certain real property identified as Block 7026 Lot 1 (Montgomery Township Tax Assessment Maps, rev. 2017), located at 132 Franklin Drive, and comprising 2.4± acres (the “**Property**”); and has offered to donate the Property to the Township.
- B. By virtue of N.J.S.A. 40A:12-5, the Township is authorized to acquire real property by gift of the Owner.
- C. It is in the interests of the health and welfare of the Township’s residents to acquire the Property for municipal purposes.

Section 2. Acquisition of the Property. Pursuant to N.J.S.A. 40A:12-5, the acquisition of the Property for municipal purposes by gift of the Owner is hereby authorized. The Mayor, Clerk, Administrator, Township Attorney and other appropriate staff are authorized to close title on the Property and, in connection therewith, execute documents including, but not limited to, agreements, affidavits of title, closing statements, etc., as are reasonably customary for the acquisition of the Property by gift.

Section 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 4. Severability. 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 adjudged and the remainder of this ordinance shall be valid and enforceable.

Section 5. Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.