#11-08

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GIFT OF LANDS KNOWN AS HURON ROAD IN BLOCK 17, LOT 92, TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY FOR THE PRESERVATION OF OPEN SPACE AND TO SATISFY OUTSTANDING TAX LIENS

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of North Brunswick is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40:61-1, et. seq., the Township of North Brunswick may acquire lands for open space and conservation purposes; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a)(1), the Township of North Brunswick has the authority to acquire any real property for a public purpose by gift; and

WHEREAS, pursuant to N.J.S.A. 40A:12-8, the Township of North Brunswick has the authority to acquire property by gift to satisfy a tax lien; and

WHEREAS, the Township of North Brunswick currently hold tax liens in the amount of $12,162.50 principal, $11,011.38 interest, for a total amount of $23,173.88 on property known as Block 17, Lot 92 on the Official Tax Map of the Township of North Brunswick, New Jersey, also known as Huron Road, North Brunswick, New Jersey (the "Property") owned by Gary and Abbe Miller (the "Owners"); and

WHEREAS, the Owners desire to donate the Property as a gift to the Township of North Brunswick for the purpose of open space preservation within the Township of North Brunswick and to satisfy the tax liens on the Property; and

WHEREAS, the Township Council of the Township of North Brunswick is desirous of satisfying the liens on the Property and is committed to the preservation of open space within the Township and has determined that it would serve a public purpose for it to accept the gift of the Property from the Owner to preserve open space within North Brunswick and to satisfy the tax liens owed to the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that it hereby authorizes the acceptance of the gift of lands known as Block 17, Lot 92 on the Official Tax Map of the Township of North Brunswick, also known as Huron Road, North Brunswick, New Jersey, from the owners, Gary and Abbe Miller to preserve open space within North Brunswick and to satisfy the tax liens owed to the Township; and

BE IT FURTHER ORDAINED, that the Property shall be conveyed to the Township by Deed with Covenants as to Grantor's Acts to be reviewed and approved by the Township Attorney; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute any documents as may be necessary to effectuate said conveyance.

BE IT FURTHER ORDAINED, 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 adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

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