

ORD. #16-2008

AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE AUTHORIZING THE SALE OF A TRACT OF LAND COMMONLY REFERRED TO AS CHARTERS FARM, LOT 1 BLOCK 900 AND LOTS 3 AND 4 BLOCK 8300 ON THE MOUNT OLIVE TOWNSHIP TAX ASESMENT MAP IN CONJUNCTION WITH THE COUNTY OF MORRIS AS WELL AS THE CONVEYANCE OF ALL NON-AGRICULTURAL DEVELOPMENT RIGHTS TO THE COUNTY OF MORRIS AND THE CONVEYANCE OF A TWENTY FOOT WIDE TRAIL EASEMENT, A/K/A PATRIOTS PATH TO THE COUNTY OF MORRIS FOR PARK PURPOSES.

WHEREAS, the Township of Mount Olive in conjunction with or in coordination with the County of Morris, acquired what is commonly referred to as Charters Farm Lots 3 and 4 in Block 8300 and Lot 1 in Block 900 by way of a Deed dated April 26, 2002, and recorded in Deed Book DB05641, at Page 262, on June 20, 2002, and

WHEREAS, by way of a Memorandum of an Agreement between the Township of Mount Olive and the County of Morris, it was mutually agreed, that this was a joint purchase, that certain interests in this land would be sold, at public auction, but all development rights would be retained, i.e., the tract would be sold but “stripped of all non-agricultural Development Rights”; and

WHEREAS, the County and the Township now wish to proceed to sale by public auction;

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, as follows:

Section 1. The sale of Lot 1 in Block 900 and Lots 3 and 4 Block 8300 on the

Township of Mount Olive Tax Map is hereby authorized at public auction in accordance with N.J.S.A. 40A:12-13 et seq., said sale to be arranged by or with the County of Morris.

Section 2. The conveyance by an appropriate Deed of Easement to convey Lots 3 and 4 Block 8300 and Lot 1 Block 900 (less all non-agricultural development rights and subject to covenants and restrictions of record, if any; rights of way for Stephens Park and Sand Shore Road and a Twenty Foot Wide Trail Easement, a/k/a Patriot's Path, to the highest bidder at public auction, is hereby authorized. Copies of the descriptions for the Deed of Easement, the Non-severable Residential Exception Area, the Easement for Stephens Park Road and Sand Shore Road, as well as the Twenty-foot Wide Trail Easement, a/k/a Patriot's Path, are attached hereto as Exhibit 1.

Section 3. The Mayor, the Township Clerk and the Township Attorney are authorized to execute any needed or necessary documents to facilitate the sale and public auction.

Section 4. There is hereby also authorized a conveyance to the County of Morris of all non-agricultural development rights in and to Lots 3 and 4 Block 8300 and Lot 1 Block 900 for a consideration of approximately \$653,226.00. The Mayor, Township Clerk and Township Attorney are authorized to execute any and all documents related to the transaction.

Section 5. There is hereby also authorized by the Mayor, Clerk, and the Township Attorney a conveyance to the County of Morris for park purposes of a Twenty Foot Wide Trail Easement a/k/a Patriot's Path.

Section 6. This ordinance shall take affect in accordance with law.

ATTEST:

LISA M. LASHWAY
Township Clerk

TOWNSHIP OF MOUNT OLIVE

ROBERT J. GREENBAUM
Council President