

**AN ORDINANCE
2121-2023**

AN ORDINANCE OF THE CITY OF PERTH AMBOY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE ACQUISITION OF THE PROPERTY DESIGNATED ON THE TAX MAPS OF THE CITY OF PERTH AMBOY AS BLOCK 127, LOT 16 (COMMONLY KNOWN AS 333 HIGH STREET) FOR PUBLIC PURPOSES PURSUANT TO *N.J.S.A. 40A:12-5* AND *N.J.S.A. 20:3-1, ET SEQ.*

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)*, the City of Perth Amboy (the "**City**") is authorized to acquire any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, in order to facilitate and undertake the construction of a proposed public facility that is planned for the vacant parcel located at 333 High Street (the "**Project**"), the City must acquire a fee simple interest in certain properties located in the City which are identified on the tax maps as Block 127, Lot 16 (the "**Property**"); and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Perth Amboy as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The City is hereby authorized to exercise its power of eminent domain pursuant to *N.J.S.A. 40A:12-5(a)(1)* to acquire the Property, as set forth herein above, in furtherance of the Project, and in accordance with the provisions of the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et seq.*

Section 3. The Mayor, Business Administrator and Law Director are hereby authorized and directed to take, or cause to be taken, any and all actions that are necessary to acquire the Property by negotiated purchase or condemnation proceedings, including but not limited to obtaining any studies, surveys, tests, soundings, borings, appraisals and title searches, as necessary to determine the value, boundary, ownership and other property interests or environmental condition of the Property, and to take any action required to obtain fee simple title interest of the Property, as deemed necessary.

Section 4. Any and all prior actions taken by the City, its officials, employees and agents in furtherance of the acquisition of the Property is hereby ratified.

Section 5. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 6. This ordinance shall take effect in accordance with applicable law.

MILADY TEJEDA
Council President

ATTEST:
VICTORIA ANN KUPSCH
City Clerk

APPROVED AS TO FORM:
WILLIAM P. OPEL
Director of Law

Adopted on Second and Final Reading: October 11, 2023