

ORDINANCE 2004-33

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A PORTION OF BLOCK 203, LOT 16A BY PURCHASE OR CONDEMNATION IN THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

WHEREAS, the Township of Montgomery desires to reconstruct Township Line Road, said road being the shared responsibility of both Hillsborough Township and Montgomery Township; and

WHEREAS, there exists a need for Hillsborough Township to obtain a portion of Block 203, Lot 16A as shown on the Hillsborough Township Tax Map for a right-of-way; and

WHEREAS, said right-of-way is necessary for the planned reconstruction project; and

WHEREAS, the area of the right-of-way acquisition is described in the metes and bounds description attached as Schedule A and depicted on the Right-of-Way Acquisition Plan attached as Schedule B; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) provides the authority for a municipality to acquire real property through purchase or condemnation and N.J.S.A. 20:3-1 et seq. sets forth the procedure through which such condemnation shall occur; and

WHEREAS, the Township Committee of the Township of Hillsborough has reviewed the appraisal of Robert McNeely Vance & Co., dated June 15, 2004, in the amount of \$12,300; and

WHEREAS, the Township Committee of the Township of Hillsborough has funds available to purchase or otherwise acquire the property, and accepts the appraisal and authorizes the expenditure of \$12,300 to Robert McNeely Vance and Co.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

1. It finds and determines for the reasons above stated that the acquisition of the right-of-way across the land described is both necessary and desirable.
2. It authorizes acquisition of this property by negotiation or, failing this, by condemnation.

The within Ordinance shall take effect upon adoption and publication in accordance with New Jersey law.

ATTEST:

TOWNSHIP OF HILLSBOROUGH:

Kevin P. Davis, Acting Township Clerk

Steven N. Sireci, Jr., Mayor