

**Borough of Norwood**  
**Ordinance No. 08:11**

**An Ordinance Authorizing the Acquisition by Gift of Property**  
**Known as Block 171, Lot 4 in the Borough of Norwood**

**WHEREAS**, the Mayor and Council of the Borough of Norwood (“Borough”) finds that there is a need for the preservation of open space in the Borough, and that the property designated as Block 171, Lot 4, on the Borough’s current tax map (“Property”) is suitable for open space preservation because the Property is undeveloped; and

**WHEREAS**, the owner of the Property offered a gift of the Property to the Borough, and therefore there will be no cost of acquiring the Property for open space preservation purposes; and

**WHEREAS**, the Borough’s Planning Board has, after the introduction of this ordinance, adopted a resolution recommending the acquisition, after referral pursuant to N.J.S.A. 40:55D-31; and

**WHEREAS**, action is being taken on this ordinance by the Mayor and Council under the doctrine of necessity because a quorum of the members of the Mayor and Council with no connection to the donor, the Immaculate Conception Church, cannot otherwise be convened to act on this offer, there is a pressing public need for action to ensure the preservation of the Property as much needed open space, and only the Mayor and Council is authorized to adopt an ordinance to authorize this acquisition on the Borough’s behalf; and

**WHEREAS**, the purpose of this ordinance is to approve the acquisition of the Property, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, and all other applicable laws.

**NOW, THEREFORE, BE IT ORDAINED** by the Major and Council of the Borough of Norwood, County of Bergen, State of New Jersey, as follows:

**SECTION 1:** The Borough shall acquire, by agreement, the Property by way of a gift to the Borough, in accordance with the provisions of all applicable laws and legal standards. The acquisition shall include, but not be limited to, the acquisition of all easements, rights of way, leaseholds, and other estates in and to the Property. The Mayor, Clerk, and Borough Attorney are authorized and directed to execute all documents necessary for the acquisition, including a contract for the purchase, which shall be in a form prepared by or approved by the Borough Attorney.

**SECTION 2:** The Property is being acquired for the purpose of preserving the undeveloped land that makes up the Property as much needed open space.

**SECTION 3:** The Borough shall acquire the Property pursuant to all of the powers delegated to the Borough pursuant to N.J.S.A. 40A:12-1 et seq.

**SECTION 4:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

**SECTION 5:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

**SECTION 6:** This ordinance shall take effect upon final approval and publication, according to law.

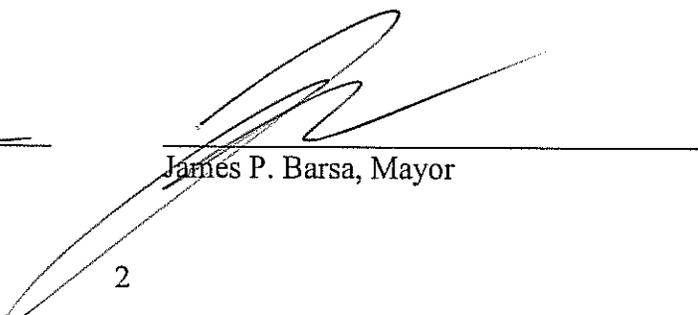
Introduced and passed first reading: October 7, 2008

Passed second reading: November 5, 2008

ATTEST:

APPROVED BY:

  
Lorraine McMackin, Borough Clerk

  
James P. Barsa, Mayor