

ORDINANCE NO. 36-18

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF 70 WHIPPANY ROAD IN THE WHIPPANY SECTION OF THE TOWNSHIP AND ALSO DESIGNATED AS BLOCK 4301, LOT 2.01, AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER AND FURTHER APPROPRIATING THE SUM OF \$325,000.00 FROM THE TOWNSHIP'S MANDATORY DEVELOPMENT FEE ACCOUNT FOR THE PURCHASE OF THE PROPERTY**

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement; and

**WHEREAS**, Our Lady of Mercy Roman Catholic Church has agreed to convey Block 4301, Lot 2.01, consisting of approximately 2.572 acres of land to the Township for use by the Township for construction of a new group home in consideration of the payment of \$325,000.00; and

**WHEREAS**, the property in question is located at 70 Whippany Road in the Whippany Section of the Township; and

**WHEREAS**, the Township Committee of the Township of Hanover has determined that it is in the interest of the Township to acquire the said property for the above stated purpose; and

**WHEREAS**, sufficient funds for the acquisition of Lot 2.01 in Block 4301 are available in the Township's Mandatory Development Account, Account No. 254-3507-499.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

**SECTION 1.** The governing body hereby authorizes the fee simple acquisition of Lot 2.01 in Block 4301 as set forth on the Tax Map of the Township of Hanover in the amount of \$325,000.00. The tract consists of approximately 2.572 acres of land located at 70 Whippany Road which property is owned by Our Lady of Mercy Roman Catholic Church.

**SECTION 2.** The Township Attorney is authorized and directed to prepare the required Contract For Sale of Real Estate, the Deed and all other related documents for the fee simple acquisition of Lot 2.01 in Block 4301.

**SECTION 3.** The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

**SECTION 4.** The Mayor and Township Clerk are also authorized and directed to execute the Contract For Sale of Real Estate, the Deed and any other documents necessary for the acquisition of the property described herein.

**SECTION 5.** No debt is to be authorized by the enactment and passage of this Ordinance.

**SECTION 6.** For the acquisition described in Section 1, above, there is hereby appropriated the sum of \$325,000.00 from the Township's Mandatory Development Fee Account, Account No. 254-3507-499.

**SECTION 7.** All ordinances of the Township of Hanover, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

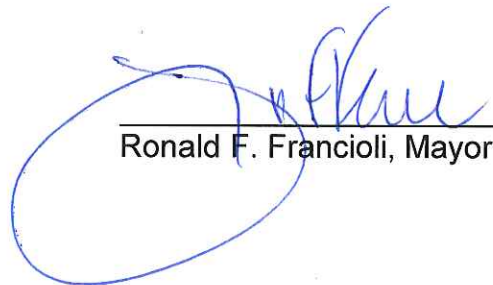
**SECTION 8.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**SECTION 9.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

  
Joseph A. Giorgio, Township Clerk

  
Ronald F. Francioli, Mayor

DATE OF INTRODUCTION: November 8, 2018

DATE OF ADOPTION: December 13, 2018