

**BOROUGH OF ORADELL  
ORDINANCE # 25-2**

**AN ORDINANCE AUTHORIZING THE BOROUGH OF ORADELL TO ACQUIRE CERTAIN REAL  
PROPERTY FOR PUBLIC PURPOSES IDENTIFIED AS A PORTION OF BLOCK 407, LOT 4,  
ORADELL, NEW JERSEY PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A.  
40A:12-1, ET, SEQ.**

**WHEREAS**, N.J.S.A. 40A:12-5 authorizes municipalities to acquire real property by way of negotiated purchase; and

**WHEREAS**, in order to effect such a purchase, a municipality must adopt an ordinance authorizing same; and

**WHEREAS**, the Governing Body of the Borough of Oradell has deemed it necessary and advisable to acquire certain real property in the Borough identified as a portion of Block 407, Lot 4 on the Official Tax Map of the Borough (the "Property"); and

**WHEREAS**, the Governing Body has determined that it is in the best interests of the Borough of Oradell to acquire the Property for the purposes set forth herein; and

**WHEREAS**, the Property consists of both vacant land and improvements and is situated adjacent to the municipal building making it suitable for a variety of municipal purposes; and

**WHEREAS**, the Property is available for purchase and has been subject of negotiations between the owner of the Property and the Borough; and

**WHEREAS**, the funding for the purchase of the Property shall come from monies received or expected to be received from a Public Facilities Improvements Grant by the New Jersey Department of Community Affairs, with the balance if any from the Borough Capital Improvement Fund and Capital Fund Balance.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of Oradell, County of Bergen and State of New Jersey, as follows:

1. The Mayor, Borough Administrator and all appropriate officials, consultants, agents and employees of the Borough are hereby directed, authorized and empowered to execute all documents, and to take all steps necessary and appropriate to acquire, by way of negotiated purchase, the real property identified as Block 407, Lot 4 on the Official Tax Map of the Borough of Oradell (the "Property"), consistent or substantially consistent with the terms of the attached Contract for Sale of Commercial Real Estate negotiated with the Rector, Wardens and Vestrymen of the Church of the Annunciation, Oradell, New Jersey (the "Contract").

2. The Borough Council hereby confirms its approval for the fair market value of the Property of Five Hundred Thousand and 00/100 Dollars (\$500,000.00) as of the date of the adoption of this Ordinance, subject to usual and customary adjustments and as set forth in the Contract.

3. This purchase is authorized by the provisions of the Local Lands and Buildings Law, and specifically N.J.S.A. 40A:12-5, which permits a municipality, by ordinance, to purchase any real property for public purposes.

4. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

5. All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

6. This Ordinance shall take effect immediately.

ATTEST:

APPROVED:  
BOROUGH COUNCIL OF THE  
BOROUGH OF ORADELL

\_\_\_\_\_  
LAURA J. LYONS, CPM, RMC, RPPO

By: \_\_\_\_\_  
JAMES G. KOTH III, MAYOR

Introduction Date:

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
HARRER				

ATTEST:

APPROVED:  
BOROUGH COUNCIL OF THE  
BOROUGH OF ORADELL

\_\_\_\_\_  
LAURA J. LYONS, CPM, RMC, RPPO

By: \_\_\_\_\_  
JAMES G. KOTH III, MAYOR

Adoption Date:

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
HARRER				