

TOWNSHIP OF MENDHAM

ORDINANCE 14-2008

AN ORDINANCE OF THE TOWNSHIP OF MENDHAM IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AUTHORIZE A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF MENDHAM AND KATHLEEN PITNEY FOR PROPERTY COMMONLY KNOWN AS 1 COLD HILL ROAD, MENDHAM, NEW JERSEY

WHEREAS, the Township Committee of the Township of Mendham (the “Township Committee”) has determined to acquire property commonly known and designated as Lot 1, Block 131 on the Tax Map of the Township of Mendham, commonly known as 1 Cold Hill Road (the “Property”), for the future location of municipal facilities; and

WHEREAS, the Local Lands and Buildings Law, at N.J.S.A. 40A:12-3 (b), authorizes any municipality to acquire the necessary land for the construction thereon of buildings or other capital improvements or additions thereto and for suitable surrounding grounds and parking facilities to be used in connection therewith; and

WHEREAS, the Township Committee has introduced Ordinance No. 12-2008 to authorize the acquisition of the Property by the Township of Mendham; and

WHEREAS, the Township Committee and Kathleen Pitney, the seller of the Property (the “Seller”), have agreed to the terms of an agreement for the sale of the Property to the Township which provides for the Seller’s continued, temporary residence at the Property beyond the date of the closing;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MENDHAM IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, as follows:

SECTION 1. Simultaneous with the acquisition of the Property, the Mayor and Township Clerk are hereby authorized and directed to execute on behalf of the Township a Lease Agreement with the Seller to lease the Property to the Seller together with such other documents as are necessary and advisable to accomplish the lease of the Property with such minor revisions in said documents as the Township Attorney may advise and the Mayor may approve, such approval to be evidenced by the execution thereof. Said Lease Agreement shall incorporate the provisions set forth in the Contract of Sale and other customary and normal provisions.

SECTION 2. This Ordinance shall take effect upon final adoption and publication pursuant to law and is conditioned upon the prior adoption of Ordinance No. 12-2008.

Introduced: October 14, 2008

Adopted:

Effective:

ATTEST:

**TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS**

By: _____

By: _____

Ann L. Carlson, RMC

Phyllis Florek,

Township Clerk

Mayor