

**TOWNSHIP OF FRANKLIN**  
**O-4-2018**

**ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY  
LOCATED AT 1481 DELSEA DRIVE ALSO KNOWN AS BLOCK 4901 LOTS 8 &  
9 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF FRANKLIN**

**WHEREAS**, the Township of Franklin (“Township”) wishes to acquire real property within the Township of Franklin located at 1481 Delsea Drive (Street Address) also known as Block 4901 Lots 8 and 9 on the Official Tax Map of the Township of Franklin (“Property”) for the public purpose of use by the Municipal Buildings and their occupants; and

**WHEREAS**, N.J.S.A. 40A:12-5 authorizes a municipality to acquire real property consistent with its authority to acquire privately-owned land for public purposes pursuant to the Local Land and Buildings Law, N.J.S.A. 40A:12-1 *et seq.* and wishes to memorialize its authority to acquire the Property consistent with law and pursuant to this Ordinance; and

**WHEREAS**, the Township wishes to enter into an Agreement of Sale to purchase the Property from its owners (“Agreement”), which said Agreement includes, among other things, the ability to conduct appropriate inspections in order to determine the condition of the Property and authorizing and commissioning appraisals for the Property to establish its fair market value; and

**WHEREAS**, the Township and the owner of the Property will undertake a bona fide negotiation process whereby the Township will acquire the Property by way of mutual agreement and to pay the owner of the Property in an amount not to exceed the authorized and commissioned appraisal of the Property; and

**WHEREAS**, conditioned upon sufficient funds being appropriated through a bond ordinance by the Township in order to acquire the Property.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Franklin, County of Gloucester and State of New Jersey as follows:

**SECTION 1:** The Township is hereby authorized to purchase and acquire the Property subject to the conditions set forth in this Ordinance.

**SECTION 2:** The Township is hereby authorized to enter into an Agreement of Sale for the purchase of the Property in an amount not to exceed the fair market value as determined by the authorized and commissioned appraisal of the Property and subject to funds being appropriated through a bond Ordinance.

**SECTION 3:** The Township Administrator and Solicitor on behalf of the Mayor and Township Committee along with other Township Officials are authorized to take all steps necessary and legally required to conclude and close the purchase of the Property subject to the conditions set forth in this Ordinance.

**SECTION 4:** The Mayor of the Township is hereby authorized to execute the Agreement of Sale subject to all appropriate conditions necessary to acquire the Property.

**SECTION 5:** All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

**SECTION 6:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 7:** This Ordinance shall take effect immediately upon posting, publication, final passage in the manner prescribed by law.

Attest:

Township of Franklin

BARBARA FREIJOMIL, RMC

LEAH VASSALLO, MAYOR

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at the reorganization meeting of the Township of Franklin held on April 10, 2018 and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on September 11, 2018, at which time any person interested therein will be given an opportunity to be heard.

BARBARA FREIJOMIL, RMC

Township Clerk

Introduced April 10, 2018

|                    | Yes | No | Abstain | Absent |
|--------------------|-----|----|---------|--------|
| Mr. Pluta          |     |    |         |        |
| Mrs. Flaim         |     |    |         |        |
| Mrs. Petsch-Wilson |     |    |         |        |
| Mr. Deegan         |     |    |         |        |
| Mayor Vassallo     |     |    |         |        |

Adopted September 11, 2018

|                    | Yes | No | Abstain | Absent |
|--------------------|-----|----|---------|--------|
| Mr. Pluta          |     |    |         |        |
| Mrs. Flaim         |     |    |         |        |
| Mrs. Petsch-Wilson |     |    |         |        |
| Mr. Deegan         |     |    |         |        |
| Mayor Vassallo     |     |    |         |        |