

ORDINANCE #1910-2015

**AN ORDINANCE OF THE TOWNSHIP OF GALLOWAY
AUTHORIZING THE TOWNSHIP TO ENTER INTO AN AGREEMENT
OF SALE WITH THE COUNTY OF ATLANTIC TO CONVEY THE
PROPERTY KNOWN AS THE MILL POND WATERSHED, NODE A**

WHEREAS, the Township of Galloway currently owns property identified as The Mill Pond Watershed Tract and consisting of Block 681.01, Lots 11, 12, 13, 14, 15, 16, 17.01, 17.02, 18, 19.01, 19.02, 19.03, 20, 21 and 22; Block 682, Lots 1.01 and 1.02; Block 683, Lot 1; Block 684, Lot 1; Block 685, Lot 1; Block 686, Lot 1; and Block 687, Lot 1; consisting of approximately 41 acres together with additional vacated right of way (the "Property"); and

WHEREAS, while the Property is adjacent to the Garden State Parkway it has no road frontage, is forested and contains a significant area of wetlands; and

WHEREAS, Atlantic County wishes to purchase the Property for open space preservation purposes and to satisfy a requirement of the New Jersey Pinelands Commission for mitigation of secondary impacts related to the Garden State Improvement Project at Exit 44; and

WHEREAS, Atlantic County has had appraisals prepared of the Property and the Township has similarly had an appraisal review prepared; and

WHEREAS, Atlantic County is offering to acquire the property for \$1,500.00 per acre, subject to verification of acreage by a field survey and such proposed consideration is a fair and reasonable offer based upon the location of the property, the difficulties of developing the property, current market conditions and the nature and purpose of the proposal.

NOW, THEREFORE, be it ordained by the Council of the Township of Galloway, County of Atlantic, State of New Jersey, as follows:

1. The Township's conveyance of its interest in the Property to Atlantic County is hereby authorized for a consideration of \$1,500.00 per acre subject to verification of the acreage by an acceptable field survey performed by a licensed New Jersey Land Surveyor.
2. The execution of an Agreement of Sale with Atlantic County for the sale of the Property is hereby authorized substantially upon the terms and conditions set forth herein.
3. The Mayor and the Acting Township Clerk are duly authorized to execute and to attest such Agreement of Sale, as well as an appropriate Deed or Deeds of Conveyance to Atlantic County.

4. The Mayor, the Acting Township Clerk, the Township Manager and the Township Attorney are duly authorized to take such further action and to execute such further documents as may be necessary or appropriate to implement this Ordinance.
5. The conveyance to Atlantic County will be fully “as-is” without any warranties or representations and the County’s rights will be limited to its right to inspect all aspects of the Property and to cancel the Agreement of Sale.
6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and
7. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and
8. This Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of the Township Council of the Township of Galloway, County of Atlantic and State of New Jersey, held on May 12, 2015, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 300 East Jimmie Leeds Road, Galloway, New Jersey 08205, on May 26, 2015, at 6:30 PM or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF GALLOWAY

Kelli Danieli \s\
 Kelli Danieli
 Acting Township Clerk

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Coppola					
Gargione					
Gorman					
Maldonado					
Meadows					
Tyrrell					
Purdy					