

ORDINANCE NO. 12-2012

AN ORDINANCE AMENDING ORDINANCE NO. 8-2012 TO REDUCE THE PURCHASE PRICE FOR THE FEE SIMPLE ACQUISITION OF THE REAL PROPERTY OWNED BY THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION KNOWN AS BLOCK 112, LOT 1 AND BLOCK 113, LOTS 29.08, 36, 37, 38, 39, 40, 41, AND 42 ON THE TAX MAP OF THE BOROUGH MORRIS PLAINS, TO INCLUDE TWO ADDITIONAL PARCELS THAT CONSTITUTE A 25 FOOT WIDTH PORTION OF THE HILLCREST AVENUE RIGHT-OF-WAY AND TO LIMIT THE PROPOSED ACQUISITION OF A LEASEHOLD INTEREST FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION TO BLOCK 111, LOT 1 ON THE TAX MAPS OF THE BOROUGH OF MORRIS PLAINS.

WHEREAS, ON May 17, 2012, the Borough Council of the Borough of Morris Plains adopted Ordinance No. 8-2012, which authorized the purchase of the fee simple interest in lands owned by the State of New Jersey Department of Transportation ("NJDOT") and located in the Borough of Morris Plains and known as Block 112, Lot 1 and Block 113, Lots 29.08, 36, 37, 38, 39, 40, 41, and 42 on the Tax Map of the Borough of Morris Plains for the purchase price of \$274,200.00 and the acquisition from the NJDOT of a leasehold interest in Block 101.01, Lot 1 and Block 111, Lot 1 on the Tax Map of the Borough of Morris Plains for open space and other public purposes; and

WHEREAS, the NJDOT has revised its' General Property Parcel Map to create two new parcels, VX36A & VX36B, which encompass the NJDOT's fee simple interest in a 25' width portion of the Hillcrest Avenue right-of-way as originally acquired by the NJDOT; and

WHEREAS, the NJDOT has corrected the purchase price of the said properties to be acquired by the Borough and the NJDOT has also omitted Block 101.01, Lot 1 from the proposed leasehold interest to be conveyed to the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Morris Plains, Morris County, New Jersey, they being the governing body thereof, as follows:

Section 1:

Ordinance No. 8-2012 is hereby amended to reflect the acquisition of NJDOT parcels VX36A & VX36B, which are also collectively known and depicted on the Tax Maps of the Borough of Morris Plains as a 25 foot wide portion of the Hillcrest Avenue right of way.

Section 2:

Ordinance 8-2012 is further amended with the reduction of the purchase price from \$274,200.00 to \$75,000.00 for the acquisition of the real property known and designated as and known as Block 112, Lot 1 and Block 113, Lots 29.08, 36, 37, 38, 39, 40, 41, and 42 and a 25 foot wide portion of the Hillcrest Avenue right-of-way as shown on the Tax Maps of the Borough of Morris Plains from the State of New Jersey, Department of Transportation.

Section 3:

Ordinance 8-2012 is hereby further amended with the elimination of Block 101.01, Lot 1 from the proposed leasehold interest to be acquired from the State of New Jersey, Department of Transportation such that the proposed leasehold interest shall be limited to Block 111, Lot 1 on the Tax Maps of the Borough of Morris Plains.

Section 4:

All other provisions of the aforesaid Ordinance 8-2012 shall be unaffected and are hereby continued.

Section 5:

This Ordinance shall take effect immediately after final passage and publication in accordance with law.

Introduced: 8/16/12

Adopted: 9/6/12

Frank J. Druetzler, Mayor