

LEGAL NOTICE

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on April 25, 2017 introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on May 16, 2017 at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2017:06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION BY PURCHASE OF PROPERTIES LOCATED IN THE TOWNSHIP THROUGH THE TOWNSHIP OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, AND FARMLAND AND HISTORIC PRESERVATION PROGRAM

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Parsippany-Troy Hills ("Township") has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, RD Realty, LLC ("RD Realty") is the contract purchaser of an approximately twenty-six and sixty-four hundredths (26.64)+/- acre parcel of real property currently identified as Block 421, Lot 29 on the official Tax Map of the Township and located on the northern side of Route 46 between Waterview Boulevard and Intervale Road (the "Property"); and

WHEREAS, the Property is entirely wooded; and

WHEREAS, the Property is located in the northwest portion of the Township, bordering the Borough of Mountain Lakes, and is the western most property situated in the Township's Professional Office Development District (the "POD Zone") ; and

WHEREAS, subject to the terms and conditions of that certain Settlement Agreement and Release dated November 10, 2015 by and between the RD Realty and the Township, RD Realty has agreed to cause to be conveyed to the Township a fee simple interest in a tract of the Property consisting of approximately ten and sixty-three hundredths (10.63) acres of upland slopes and ridge lines along the northern and western boundaries of the Property to be preserved in perpetuity as open space (the "Open Space Parcel"); and

WHEREAS, in exchange for the Open Space Parcel, the Township has agreed to pay RD Realty (or its assignee/designee) the sum of Three Million, Five Hundred Thousand United States Dollars (US\$3,500,000.00); and

WHEREAS, the Township Council finds and declares that the Township's acquisition of the Open Space Property will preserve the steep slopes and natural contours of the Doremus Ridge, and provides an important buffer area to approved retail development on the southern portion of the Property.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that:

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Open Space Parcel as defined hereinabove is hereby re-authorized.
3. The acquisition by negotiated purchase of a fee simple interest in the Open Space Parcel shall be funded by the Township utilizing Township Open Space Funds in an amount not to exceed Three Million, Five Hundred Thousand United States Dollars (US\$3,500,000.00).
4. The Township Attorney and the Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.
5. The Mayor and Township Clerk are hereby authorized to execute and witness, respectively, any documents necessary to effectuate the purchase of the Property subject to the above terms.

BE IT FURTHER ORDAINED, that 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

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict only; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.