

ORDINANCE #3-2019

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF LAND
LOCATED WITHIN THE BOROUGH OF CLAYTON AND EXECUTION OF
ALL NECESSARY DOCUMENTS
(555B COYLE ROAD A/K/A BLOCK 502, LOT 7)**

WHEREAS, the Borough of Clayton (the “Borough”), in the County of Gloucester, State of New Jersey, has determined that there is a need within the Borough to acquire property necessary for completion of an existing public roadway known as Coyle Road; and

WHEREAS, the Borough is duly authorized and empowered to acquire real property and/or easements for public use by purchasing, gift, condemnation or otherwise, pursuant to the provisions of The Constitution of the State of New Jersey and N.J.S.A. 20:3-1 et seq., N.J.S.A., 40:12A-8, and other applicable statutes; and

WHEREAS, the Borough has determined to acquire a fee simple interest, or such lesser interest, in the lands and premises hereinafter described for the public purpose of completion of an existing public roadway known as Coyle Road pursuant to the Constitution of the State of New Jersey, the Local Redevelopment and Housing Law, N.J.S.A., 40:12A-1 et seq., Eminent Domain Act, N.J.S.A. 20:3-1 et seq., and other applicable statutes, and

WHEREAS, the Borough has identified property located at 555B Coyle Road, Block 502, Lot 7 on the Official Clayton Borough Tax Map for acquisition; and

WHEREAS, acquisition of the identified parcel within the Borough of Clayton is required and necessary for completion of an existing public roadway

known as Coyle Road; and

WHEREAS, the Borough will hereafter be required to execute various documents related to the acquisition of the property or will be required to institute Eminent Domain proceedings in the appropriate court.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Clayton as follows:

Section 1. The Borough hereby authorizes the acquisition of the property by purchasing, gift, condemnation or otherwise, identified as 555B Coyle Road, Block 502, Lot 7 within the Borough of Clayton for the purpose of completion of an existing public roadway known as Coyle Road.

Section 2. The Mayor and/or Borough Administrator, and Borough Clerk, as may be required, are authorized to execute any documents necessary to effectuate the acquisition of the property, including any documents, that may be required for the institution of Eminent Domain proceedings, the form of which documents are conditioned upon final review and approval of the Borough Attorney.

Section 3. Repealer

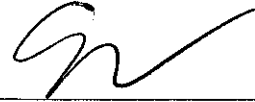
All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability.

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon formal approval by the Clayton Borough Council and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

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**BOROUGH OF CLAYTON
NOTICE OF INTRODUCTION
ORDINANCE #3-2019**

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TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on January 24, 2019 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 7:00 p.m. on February 14, 2019, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER of the Mayor and Council of the Borough of Clayton.

Christine Newcomb
Borough Clerk

BOROUGH OF CLAYTON

NOTICE OF ADOPTION

ORDINANCE #3-2019

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on February 14, 2019.

Christine Newcomb
Borough Clerk