

**ORDINANCE AUTHORIZING THE ACQUISITION OF  
CERTAIN REAL PROPERTY IN THE TOWNSHIP OF  
LIVINGSTON, COUNTY OF ESSEX AND  
STATE OF NEW JERSEY**

WHEREAS, the Local Lands and Buildings Law, N.J.A.C. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the Township Council of the Township of Livingston has determined that it is in the interest of the Township to acquire property shown as Block 5500, Lot 20 on the official tax maps of the Township of Livingston, and known as 244 Hillside Avenue in the Township of Livingston, from Patricia R. Byrne for the sum of \$1.175 million; and

WHEREAS, a grant has been awarded to the Township for the acquisition of the fee interest in the amount of \$587,500 from the State of New Jersey Planning Incentive Grant.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Livingston in the County of Essex, and State of New Jersey, as follows:

**SECTION 1.** The Township Council hereby authorizes the acquisition of property shown as Block 5500, Lot 30 on the official tax maps of the Township of Livingston and known as 244 Hillside Avenue in the Township of Livingston from Patricia A. Byrne for the sum of \$1,175,000, \$587,500 of which is being funded by a grant from the State of New Jersey Planning Incentive Grant.

**SECTION 2.** There is hereby appropriated the total amount of \$587,500 for the purpose set forth in Section 1 from a grant from the State of New Jersey Planning Incentive Grant.

**SECTION 3.** There is hereby appropriated the total amount of \$587,500 for the balance of the purchase price and other closing costs from the Open Space Trust Fund of the Township of Livingston.

**SECTION 4.** The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.


**SECTION 5.** No debt is to be authorized by the enactment and passage of this ordinance.

**SECTION 6.** All ordinances of the Township of Livingston which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 7.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**SECTION 8.** This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

  
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STEPHEN A. SANTOLA, Mayor

  
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GLENN R. TURTLEAUB, Township Clerk

Approved as to form:

  
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SHARON L. WEINER, Township Attorney

Introduced: 12/3/07  
Adopted: 12/17/07