

ORDINANCE NO. 2021-17

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, AUTHORIZING ACQUISITION OF REAL PROPERTY
AND IMPROVEMENTS THEREON LOCATED AT BLOCK 83 LOT 10,
AKA 414 NINTH AVENUE, BELMAR, NEW JERSEY**

BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, (hereinafter referred to as "Belmar") as follows:

WHEREAS. Belmar wishes to acquire from Belmar First Aid Squad, Inc. (hereinafter referred to as "FAS") real property and improvements thereon located at Block 83, Lot 10, AKA 414 Ninth Avenue, Belmar, New Jersey (hereinafter referred to as the "Property") for the total purchase price of up to One Million Five Hundred Thousand (\$1,500,000.00) Dollars pursuant to N.J.S.A. 40A:12-1 et seq. generally and N.J.S.A. 40A:12-3, 40A:12-4 and 40A:12-5 specifically; and

WHEREAS, the land is being acquired for legitimate public purposes for the continued health, safety and welfare of the residents of Belmar so as to provide continued emergency services; and

WHEREAS, the Township has attempted to negotiate and will continue to negotiate in good faith with the property owner in order to obtain a contract to purchase the property, free and clear of any liens or encumbrances, but if necessary will proceed to acquire the property pursuant to the Eminent Domain Act, N.J.S.A. 20:3-1 et seq;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey as follows:

1. The acquisition of real property known and designated as Block 83, Lot 10, as shown on the tax maps of the Borough of Belmar, Monmouth County, for a total purchase of no more than One Million Five Hundred Thousand (\$1,500,000.00) Dollars, plus costs associated with the purchase that includes necessary property inspections, title insurance, survey, is hereby approved, subject to the terms and conditions of an Agreement of Sale to be finally negotiated and executed by the Seller and the Borough, and the Mayor, Borough Clerk and Borough Attorney are hereby authorized to sign said Agreement and such other documents necessary to effectuate closing, including obtaining any and all necessary subdivision, inspections, title insurance, survey and subject to the Borough receiving clear and marketable title.

2. The acquisition shall also be subject to the adoption and implementation of a Bond Ordinance.

3. The real property is being acquired for legitimate public purposes, that is to continue with emergency services to serve the residents of Belmar.

4. All Ordinances or parts of an Ordinance or Resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

5. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

6. This Ordinance shall take effect after publication and passage according to law.