

Ord 35-00

**TOWNSHIP OF WALL**

**ORDINANCE NO. 35 - 2000**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL PROVIDING FOR AN EXCHANGE OF PROPERTY WITH THE WALL TOWNSHIP BOARD OF EDUCATION PERTAINING TO NEW LOT 31.02 IN BLOCK 804.02 AND LOT 1 IN BLOCK 314.**

**WHEREAS**, the Township of Wall is the contract purchaser of new Lot 31.02 in Block 804.02 consisting of 20.0488 acres more or less, which property is contiguous to property owned by the Wall Township Board of Education; and

**WHEREAS**, the Township Committee has determined that the purpose of the aforesaid acquisition was for the maintenance of open space and the property is not needed for another public use by the Township; and

**WHEREAS**, the Wall Township Board of Education is the owner of property known as Lot 1 in Block 314, consisting of 20.12 acres more or less, located at Church Street and State Highway No. 35 in the Township, which is contiguous to Orchard Park; and

**WHEREAS**, N.J.S.A. 40A:12-16 authorizes the Township to exchange any land or any rights or interest therein owned by the municipality for other lands desired for public use; and

**WHEREAS**, the Township Committee has determined that Lot 1 in Block 314 owned by the Wall Township Board of Education is desirable for public use as and for an expansion of recreational facilities at Orchard Park; and

**WHEREAS**, the Township has determined that the property owned by the Board of Education is at least equal in value to the property to be acquired by the Township as aforesaid;

*Ord. 103-00 continued*

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Wall, in the County of Monmouth, State of New Jersey, as follows:

Section 1. The exchange of Lot 31.02 in Block 804.02 ,upon its acquisition by the Township, for Lot 1 in Block 314 owned by the Wall Township Board of Education be and the same is hereby authorized.

Section 2. The Mayor, the Acting Township Clerk and any other appropriate Township officials be and are hereby authorized to execute and deliver any document or take any and all actions necessary to effectuate the exchange of Lot 31.02 in Block 804.02 with the Wall Township Board of Education for Lot 1 in Block 314.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law.

**NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on November 13, 2000, and further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on December 13, 2000, at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be

heard, and 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 the Township of Wall, Town Hall, to members of the general public who shall request the same.

LORRAINE KUBACZ  
Acting Township Clerk