

BOROUGH OF NORWOOD

ORDINANCE NO.07:09

AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY KNOWN AS  
BLOCK 123, LOT 4 IN THE BOROUGH OF NORWOOD

**WHEREAS**, the Mayor and Council of the Borough of Norwood ("Borough") finds that the property commonly known as Block 123, Lot 4 on the Borough=s current tax map (ASubject Property@) is an abandoned burial ground the ownership of which is in some doubt; and

**WHEREAS**, the Borough is authorized by N.J.S.A. 40:60-25.61 to -25.64 to apply for a Superior Court order vesting title in abandoned burying grounds and cemeteries in the Borough if no person owning or controlling the site can be located through diligent inquiry, and the Borough is authorized to acquire real property acquire the Subject Property pursuant to all of the powers delegated to the Borough pursuant to N.J.S.A. 40A:12-1 et seq. and N.J.S.A. 20:3-1 et seq.; and

**WHEREAS**, the Borough=s Planning Board adopted resolution recommending the acquisition after referral pursuant to N.J.S.A. 40:55D-31; and

**WHEREAS**, the Borough=s Chief Financial Officer's certification is not necessary because the Borough is not required to expend any funds for this acquisition; and

**WHEREAS**, the purpose of this ordinance is to approve the acquisition of the Subject Property pursuant to N.J.S.A. 40:60-25.61 to -25.64 and all other applicable laws so that the Borough may take control of the property in the public interest and as part of the Borough's ongoing efforts to preserve open space.

**NOW, THEREFORE, BE IT ORDAINED** by the Major and Council of the Borough of Norwood, County of Bergen, State of New Jersey, as follows:

**SECTION 1:** The Borough shall acquire the Subject Property, in accordance with N.J.S.A. 40:60-25.61 to -25.64 and the provisions of all applicable laws and legal standards. The acquisition shall include, but not be limited to, the taking of all easements, rights of way, leaseholds, and other estates in and to the Subject Property. The Mayor, Clerk, and Borough Attorney are authorized and directed to prepare, execute, and file all documents necessary for the acquisition.

**SECTION 2:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.

**SECTION 3:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any Court, the remaining parts of this ordinance will remain in full force and effect.

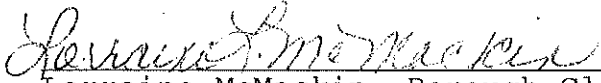
**SECTION 4:** This ordinance shall take effect upon final approval and publication, according to law.

Introduced and passed first reading: April 3, 2007

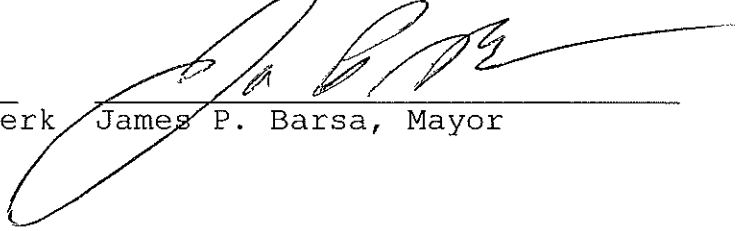
Passed second reading: May 1, 2007

ATTEST:

APPROVED BY:



Lorraine McMackin, Borough Clerk



James P. Barsa, Mayor

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