

**Borough of Norwood**

**Ordinance No. 16:08**

**An Ordinance Authorizing the Study of the Acquisition of Easements on Property known as Block 88, Lot 4 in the Borough of Norwood.**

**WHEREAS**, the Mayor and Council of the Borough of Norwood (“Borough”) finds that there is a need for the study of the potential acquisition of a construction easement and a storm water easement covering an area of approximately 724 square feet (“the Easements”) on property in the Borough designated as Block 88, Lot 4 on the Borough’s current tax map (“the Property”) for the proposed improvements to Oak Street; and

**WHEREAS**, the purpose of this ordinance is to authorize the study of the advisability of the acquisition of the Easements, pursuant to all applicable laws; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., and the Eminent Domain Act of 1971, N.J.S.A. 20:3-1 et seq., authorize public entities to acquire real property or an interest in real property.

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

**Section 1:** The Borough officials, consultants, agents, employees, and professionals, as may be necessary and appropriate, are authorized to pursue all efforts necessary to evaluate the advisability of acquiring the Easements in the Property through negotiation and/or condemnation, if necessary, pursuant to N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1 et seq.

**Section 2:** The Mayor and Council hereby confirms that it is the intent of this ordinance to allow but not require the exercise of eminent domain to acquire the Easements to permit the construction of storm water drainage improvements on Oak Street.

**Section 3:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.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 4:** 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 5:** This ordinance will take effect upon final approval and publication, according to law.

Introduced and passed first reading: April 13, 2016

Passed second reading: May 11, 2016

ATTEST:

APPROVED BY:

  
Lorraine L. McMackin, Borough Clerk

  
James P. Barsa, Mayor

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