

# Ordinance 2021-11

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY KNOWN AND DESIGNATED AS BLOCK 60, LOT 15 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF HIGHTSTOWN, LOCATED AT 240 MERCER STREET IN THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER AND STATE OF NEW JERSEY.**

**WHEREAS**, pursuant to the New Jersey “Local Lands and Buildings Law,” N.J.S.A. 40A:12-1, *et seq.*, a municipality may acquire any real property for public use; and

**WHEREAS**, the Borough of Hightstown (the “Borough”) has determined that the purchase of certain real property located at 240 Mercer Street in the Borough, which is more commonly known and designated as Block 60, Lot 15 on the Official Tax Map (the “Property”) would be beneficial to the public, in that it will allow the Borough to expand the size of the site of the proposed new municipal building and associated facilities at the adjacent property (which is located at 230 Mercer Street - Block 60, Lots 16 and 17); and

**WHEREAS**, the Borough and Property’s owners, Jesus R. and Carmen M. Ortiz, have reached a meeting of the minds relating to the sale of the Property to the Borough, which understanding is set forth in more detail in a Contract for the Sale of Real Estate (the “Contract”); and

**WHEREAS**, the Contract contains all of the terms and conditions associated with the Borough’s acquisition of the Property, including the purchase price of One Hundred Ninety Thousand Dollars (\$190,000.00); and

**WHEREAS**, a copy of the Contract is on file in the office of the Borough Clerk; and

**WHEREAS**, the “Local Lands and Buildings Law,” specifically at N.J.S.A. 40A:12-5(a), requires a municipality to adopt an Ordinance in order to provide for the acquisition of any real property; and

**WHEREAS**, the Mayor and Borough Council wish to authorize the purchase of the Property through the adoption of the within Ordinance.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED**, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

Section 1. That, in accordance with N.J.S.A. 40A:12-1, *et seq.*, the Borough of Hightstown hereby authorizes the acquisition of the property located at 240 Mercer Street in the Borough, more commonly known and designated as Block 60, Lot 15 on the Official Tax Map, so that the Property may be utilized in connection with the proposed new municipal building and associated facilities at the adjacent parcel which is located at 230 Mercer Street (Block 60, Lots 16 and 17).

Section 2. That the terms and conditions associated with the Borough’s purchase of the Property are set forth in the Contract, a copy of which is on file for public inspection at the office of the Borough Clerk.

Section 3. That the purchase price for the Property shall be One Hundred Ninety Thousand Dollars (\$190,000.00).

Section 4. That funding for the down payment and purchase of the Property shall be certified by the Borough’s Chief Financial Officer and shall be withdrawn from the following account number: Reserve for Municipal Building-FEMA/C-04-55-999-905-100.

Section 5. That the Mayor or Borough Administrator is hereby authorized to execute, and the Borough Clerk to attest, any documents deemed necessary to effectuate the purchase of the Property, so long as said documents are in a form satisfactory to the Borough Attorney.

Section 6. That all Borough officials are hereby authorized to undertake all necessary activities in furtherance of the intentions of the within Ordinance and the Contract.

Section 7. That this Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 8. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 9. That, in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction: September 7, 2021

Adoption: September 20, 2021

**ATTEST:**

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MARGARET RIGGIO  
MUNICIPAL CLERK

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LAWRENCE D. QUATTRONE  
MAYOR