

**BOROUGH OF BERGENFIELD
PUBLIC NOTICE**

ORDINANCE 19-2548 – AN ORDINANCE AUTHORIZING THE PURCHASE OF BOROUGH PROPERTY LOCATED AT 230 N. WASHINGTON AVENUE, BLOCK 13, LOT 2 IN THE BOROUGH OF BERGENFIELD THROUGH EMINENT DOMAIN

was introduced at a Work Session Meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, April 2, 2019 and will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Council Chambers, Bergenfield Municipal Center, 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, April 16, 2019 at 8:00 p.m. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement is to acquire the parcel known as 230 N. Washington Avenue as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Marie Quinones, RMC
Borough Clerk
April 5, 2019

BOROUGH OF BERGENFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 19-2548

**AN ORDINANCE AUTHORIZING THE PURCHASE OF BOROUGH
PROPERTY LOCATED AT 230 N. WASHINGTON AVENUE, BLOCK 13, LOT 2 IN
THE BOROUGH OF BERGENFIELD THROUGH EMINENT DOMAIN**

BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield as follows:

WHEREAS, Plaintiff Borough of Bergenfield was created and now exists pursuant to N.J.S.A. 40A:12-1 et seq., with all functions, powers and duties heretofore vested in Plaintiff pursuant to said statute, as the same has been amended and supplemented. As a municipal entity, the Borough of Bergenfield is responsible and responsive to the needs and objectives of other governmental entities and officials of the State of New Jersey.

WHEREAS, among the powers vested in Plaintiff by N.J.S.A. 40A:12-4 and N.J.S.A. 20:3-1 et seq., is the authority and power to acquire lands or rights therein for a public purpose, whether said acquisition is accomplished by way of purchase, gift, condemnation or otherwise and whether the real property to be acquired is located within or outside the municipality's own boundaries. It is the obligation of the Borough of Bergenfield to acquire the parcel known as 230 N. Washington Avenue, Bergenfield, New Jersey in order to provide for the new Municipal Building.

WHEREAS, Plaintiff has determined that it is necessary to acquire a fee simple interest in the entirety of the land and premises known as 230 N. Washington Avenue, Bergenfield, New Jersey for the public use. The land and premises sought to be acquired are more particularly described in the metes and bounds description annexed hereto as Exhibit A and are more particularly depicted as Block 13, Lot 2 on the Tax Map of the Borough of Bergenfield and property survey annexed hereto as Exhibit B, which documents are incorporated herein.

WHEREAS, the owner of record of said land and premises is 230 N. Washington Real Estate Associates having an address at 277 Ash Street, Englewood Cliffs, New Jersey 07632.

WHEREAS, no other person or entity appears of record to have an interest in the said land and premises, and no other person or entity who/which has or may claim to have an interest therein is known to the Plaintiff.

WHEREAS, the amount of compensation offered by the Plaintiff to the Defendant owner for the property and interests therein sought to be acquired including the damage, if any, to any remaining property is \$945,000.00. This report was based upon the report and appraisal by Appraisal Systems,

Inc., dated March 4, 2019. The amount of compensation and manner in which said sum was calculated is set forth in said report which includes and discloses the information required by R. 4:73-1.

WHEREAS, Plaintiff has been unable to acquire said interests in the land and premises through bona fide negotiations with the prospective condemnee holding the title of record.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen and State of New Jersey, that the Borough Attorney is hereby authorized and directed to file a Verified Complaint in Condemnation and take any and all other legal action necessary to acquire the property located at 230 N. Washington Avenue, Block 13, Lot 2 in the Borough of Bergenfield by eminent domain.

All Ordinances or parts of Ordinances inconsistent with any provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

BOROUGH OF BERGENFIELD

MARIE QUINONES

NORMAN SCHMELZ, Mayor

Borough Clerk

FIRST READING:

SECOND READING:

FINAL READING: