

**THE CITY OF
EAST ORANGE, NEW JERSEY
ORDINANCE NO. 1 OF 2023**

**AN ORDINANCE AUTHORIZING THE CITY OF EAST ORANGE TO
PURCHASE FOR A PUBLIC PURPOSE THE IMPROVEMENTS AND PROPERTY LOCATED
AT 18-20 ASHLAND AVENUE, IDENTIFIED ON THE TAX MAPS AS
BLOCK 541, LOT 14, EAST ORANGE, NEW JERSEY**

WHEREAS, pursuant to *N.J.S.A. 40A:12-1 et seq.* (the "Local Lands & Buildings Law"), the governing body of a municipality may provide for the acquisition of any real property, capital improvement, or personal property by purchase, devise, lease, exchange, condemnation or installment purchase contract; and

WHEREAS, the City of East Orange (the "City") has embarked upon a public improvement project to expand the existing footprint of its firehouse located at Dr. Martin Luther King, Jr. Boulevard and Ashland Avenue, East Orange, New Jersey; and

WHEREAS, the City requires the acquisition of the property located at 18 - 20 Ashland Avenue, and identified on the City's tax maps as Block 541, Lot 14 (the "Property") in order to complete the project and expansion of the existing firehouse footprint; and

WHEREAS, pursuant to Municipal Ordinance No. 60 of 2021, the Local Lands & Buildings Law, and the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et seq.* (the "Eminent Domain Act"), the City is authorized to acquire the Property for a public purpose and to the extent required, exercise eminent domain; and

WHEREAS, the Property owners currently hold title and site control to the Property, and recognize the importance of the Property to the general welfare of the community given the proximity to the City's Firehouse; and

WHEREAS, the acquisition of the Property for use as a part of the City's firehouse constitutes a public purpose; and

WHEREAS, the Property owners and the City have entered extensive negotiations for the sale and the City's acquisition of the Property; and

WHEREAS, the Property owners and the City have agreed to a negotiated sale price for the Property of \$615,000.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of East Orange that:

Section One:

- A. The City Council of the City of East Orange hereby authorizes the City's acquisition of 18-20 Ashland Avenue, East Orange, New Jersey designated as Block 541, Lot 14 for a sale price not to exceed \$615,000 plus such incidental costs as may be necessary to consummate the purchase.; and

- B. The Mayor, Office of the Corporation Counsel and such other appropriate municipal officials are hereby empowered to exercise all necessary and proper legal authority to consummate the sale and acquisition of the Property pursuant to the Local Lands and Buildings Law, the Eminent Domain Act, East Orange Municipal Code and other Applicable statutory or administrative authority that may exist; and
- C. The Mayor, appropriate members of his Administration, the City Clerk and other municipal officials of the City are hereby authorized to execute the documents needed to consummate the purchase and acquisition of the Property as recommended by the Office of the Corporation Counsel, which may include among other things, a Memorandum of Understanding and Purchase and Sale Agreement and are further authorized to take any and all steps to effectuate the acquisition of the Property including but not limited to the expenditure of funds needed to acquire the Property, consummate the purchase, and provide for the relocation of tenants, if necessary.

Section Two:

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

Section Three:

That all ordinances and parts of ordinances and conflicts that are inconsistent with this ordinance are hereby repealed but only to the extent of such conflict or inconsistency.

Section Four:

This ordinance shall take effect after final passage and upon expiration of twenty (20) days following publication unless otherwise provided by resolution of this City Council.