

**PLEASE TAKE NOTICE** that the following Ordinance was adopted on first reading by the Township Committee of the Township of Kingwood, County of Hunterdon and State of New Jersey at a meeting held on the 1st day of September, 2016. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 6th day of October, 2016 at a meeting beginning at 7:00PM at the Municipal Building located on the corner of County Road 519 and Oak Grove Road, Kingwood Township, New Jersey, at which time all interested persons will be heard.

**ORDINANCE NO. 18 – 09 - 2016**

**AN ORDINANCE OF THE TOWNSHIP OF KINGWOOD,  
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,  
AUTHORIZING THE COMMITMENT OF OPEN SPACE TRUST  
FUNDS TO PARTICIPATE IN THE ACQUISITION OF  
CERTAIN REAL PROPERTY KNOWN AS BLOCK 40, LOT 19,  
ALSO KNOWN AS THE HUDSON GRANT GROUP PROPERTY**

**WHEREAS**, the State of New Jersey has designated Route 29 from Trenton to Frenchtown as a Delaware River Scenic Byway and as such there are grant opportunities for property located within this area; and

**WHEREAS**, the State had originally planned to purchase a property in Kingwood Township along the Scenic Byway; however, the purchase could not be accomplished; and

**WHEREAS**, the Township and County have identified another property located within the Delaware River Scenic Byway area which could be purchased with those grant funds; and

**WHEREAS**, Block 40, Lot 19 is an approximately 18-acre property located within the Delaware River Scenic Byway area; and

**WHEREAS**, the Hunterdon Land Trust (“HLT”) is assisting in the purchase of this property; and

**WHEREAS**, Kingwood Township has obtained appraisals for the property and the property has appraised at \$5,500 per acre; and

**WHEREAS**, the Scenic Byway Grant funds would cover 50% of the purchase price; and

**WHEREAS**, the HLT has obtained a commitment, by Resolution, from the County of Hunterdon to fund the remaining 50% of the purchase price; and

**WHEREAS**, the HLT is seeking from the Township of Kingwood the contribution of “soft costs” for this acquisition not covered by the Scenic Byway grant; and

**WHEREAS**, the parties have not determined which party, the State or the Township, will be the purchaser of the property and/or whether the property will be assigned to the State or another non-profit organization for stewardship; however, it is important to begin the acquisition process and enter a contract with the landowner while the grant funds are available and the landowner is interested in selling.

**WHEREAS**, the Township has determined that there is a need to participate in the acquisition of the Property for open space preservation, parkland and/or other public purposes, and that such acquisition is in the best interest of the Township; and

**WHEREAS**, the Township is authorized pursuant to N.J.S.A. 40:12-1, et. seq., and other Statutes to participate in the acquisition of the Property for public purposes; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Kingwood in the County of Hunterdon, and State of New Jersey, as follows:

Section 1. The Township shall contact the landowner and make an offer to purchase the property for \$5,500 per acre.

Section 2. The Township shall contract directly with the landowner to take title to this property using funding from the Scenic Byway grant and the County of Hunterdon.

Section 3. The payment of any “soft costs” (appraisal, preliminary assessment, survey, title, etc.) for this acquisition not paid by the Scenic Byway grant shall be appropriated from the Township Open Space Trust Fund.

Section 4. The Township may assign its rights under the contract and/or its ownership interest in the property to the State of New Jersey upon request from the State.

Section 5. The Mayor is authorized, to execute any documents required to complete the acquisition of the Property.

Section 6. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 7. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 8. Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

TOWNSHIP COMMITTEE OF  
TOWNSHIP OF KINGWOOD