

ORDINANCE NO. 2-16

**AN ORDINANCE GRANTING A HISTORIC
PRESERVATION EASEMENT TO THE
MORRIS COUNTY BOARD OF CHOSEN
FREEHOLDERS OVER BLOCK 34, LOT 57
ON THE OFFICIAL TAX MAP OF THE
BOROUGH OF KINNELON**

WHEREAS, N.J.S.A. 40A:12-13.4 authorizes a municipality to grant an easement to the County in which it is located for public purposes; and

WHEREAS, N.J.S.A. 40A:12-13.4 requires that the granting of an easement by a municipality to the County for public purposes be accomplished by ordinance; and

WHEREAS, the Borough of Kinnelon ("Borough") is the owner of certain property formally known as Block 34, Lot 57 on the Official Tax Map of the Borough of Kinnelon and commonly known as L'Ecole Kinnelon Museum (the "Property"); and

WHEREAS, the Property possesses historic, aesthetic and cultural significance to the Borough and the people of the County of Morris and is listed in the New Jersey Register of Historic Places and the National Register of Historic Places; and

WHEREAS, the Morris County Board of Chosen Freeholders ("County") desire to obtain a historic preservation easement over the Property to preserve and maintain its historic, aesthetic and cultural significance; and

WHEREAS, the Borough desires to grant the historic preservation easement to the County.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

SECTION 1. The conveyance of a historic preservation easement over the Property, as specifically provided in the Deed of Historic Preservation Easement by and between the Borough of Kinnelon and the Morris County Board of Chosen Freeholders, is hereby authorized.

SECTION 2. The Mayor and Borough Clerk are hereby authorized to execute said easement and, together with all other appropriate officers and employees, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance. The Borough hereby authorizes and approves any non-substantive modifications to the easement as may be recommended and approved by the Borough Attorney prior to execution.

SECTION 3. The Borough Tax Collector and Tax Assessor are hereby authorized and directed to take any action necessary to further the purpose of this Ordinance.

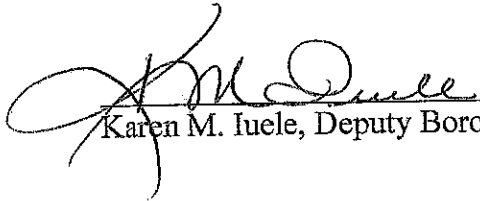
SECTION 4. All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 5. If any section, subsection clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.


SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST

BOROUGH OF KINNELON



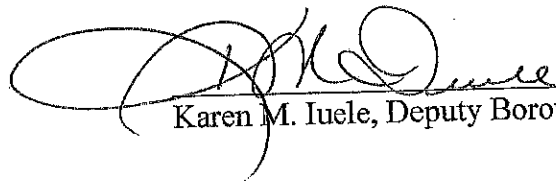
Karen M. Iuele, Deputy Borough Clerk



Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title, and passed on first reading at a regular meeting of the Kinnelon Borough Council held on February 18, 2016 and adopted by the Governing Body at a regular meeting of the Borough held on March 17, 2016.



Karen M. Iuele, Deputy Borough Clerk