

ORDINANCE NO. 20-116

**ORDINANCE ACCEPTING THE DEDICATION OF
A 40 FOOT WIDE RIGHT OF WAY OVER A 23,652
SQUARE FOOT PORTION OF BLOCK 56904 ON
THE OFFICIAL TAX MAP OF THE BOROUGH OF
KINNELON FROM MICHAEL MORATTO (PEACH
TREE LANE)**

WHEREAS, N.J.S.A. 40A:12-4 and 40a:12-5 authorize a municipality, by ordinance, to acquire real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, in accordance with major subdivision approval granted by the Borough of Kinnelon Planning Board on October 6, 2006 for the development of residential lots on property known as Block 56904, Lots 107-111 on the Official Tax Map of the Borough of Kinnelon (formerly known as Block 89.10, Lots 68.06 and 72), Michael Moratto ("Developer") desires to convey a 40 foot wide right-of-way over a 23,652 square foot portion of Block 56904 on the Official Tax Map of the Borough of Kinnelon ("Right of Way") for use as a public street (Peach Tree Lane); and

WHEREAS, the Right of Way is conveyed free and clear of any liens and encumbrances; and

WHEREAS, the Borough of Kinnelon desires to accept the dedication of the Right of Way for use as a public street (Peach Tree Lane).

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 dedication of a 23,652 square foot portion of Block 56904 on the Official Tax Map of the Borough of Kinnelon, which was formerly known as Block 89.10, Lot

72, for use as a public street (Peach Tree Lane) as described in a certain Deed by and between the Borough of Kinnelon and Michael Moratto dated November 17, 2016, is hereby accepted.

SECTION 2. The Mayor and Borough Clerk together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

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 All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.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 of the 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 the first reading at the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Deputy Borough Clerk