

**TOWNSHIP OF WYCKOFF
ORDINANCE #1907**

AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR PARTIAL LAND ACQUISITION FROM BLOCK 203, LOT 1.03 IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE, AND APPROPRIATION THEREFORE.

WHEREAS, pursuant to the Local Lands and Buildings Law NJSA 40A:12-1 et. seq. the adoption of this ordinance authorizes the Township Committee of the Township of Wyckoff to acquire by transaction real property for recreation, open space and/or conservation purposes; and

WHEREAS, the Township Committee of the Township of Wyckoff desires to complete a land swap for a portion of Block 203 Lot 1.03 as shown on the tax map of the Township of Wyckoff, consisting of approximately 25,377 square feet or .583 acres, for recreation, open space and/or conservation purposes pursuant to NJSA 40A:12-5; and

WHEREAS, the Township of Wyckoff completed engineering and land surveying pursuant to Resolution #19-260 to accomplish the land swap stated herein; and

WHEREAS, the Township of Wyckoff, in exchange for the approximately 25,377 square feet or .583 acres from Block 203, Lot 1.03, shall provide the owner of Block 203, Lot 1.03 with 10,726 square feet or .246 acres from Block 203, Lot 1.02, which said owner currently utilizes for the owner's driveway via an easement previously provided by the Township of Wyckoff;

WHEREAS, the public hearing required for the governing body to consider this ordinance shall also serve as the public hearing for determination by the governing body to use and allocate portions of certain lands in Block 203, Lot 1.02 for the acquisition of portions of certain lands of Block 203 Lot 1.03 as stated herein; and

WHEREAS, the acquisition of 25,377 square feet or .583 acres from Block 203, Lot 1.03 will permit the Township of Wyckoff with additional control of certain waterways and the management of stormwaters; and

WHEREAS, the providing of 10,726 square feet or .246 acres from Block 203, Lot 1.02 to the owner of Block 203, Lot 1.02 the Township of Wyckoff shall alleviate any potential exposure or liability associated with the current driveway easement; and

WHEREAS, the exchange of lands stated herein are done so without the intention of creating a new buildable lot; and

WHEREAS, the required actions stated herein shall be contingent upon approval by the Wyckoff Planning Board of a Minor Subdivision Application setting forth the exchange of the lands stated herein;

NOW, THEREFORE, BE IT ORDAINED, BY THE Township Committee of the Township of Wyckoff as follows:

SECTION 1. The Township of Wyckoff, in the County of Bergen shall proceed with the acquisition of certain lands, approximately 25,377 square feet or .583 acres of Block 203, Lot 1.03 as shown on the tax map of the Township of Wyckoff, for recreation, open space and/or conservation purposes pursuant to NJSA 40A:12-1 et. seq.

SECTION 2. The cost of implementing said acquisition and improvements set forth in Section 1 shall be paid by the Township of Wyckoff by providing the owner of Block 203, Lot 1.03 with approximately 10,726 square feet or .246 acres from Block 203, Lot 1.02.

SECTION 3. It is hereby determined and stated:

- a. Said purpose is not a current expense. The same is an improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefitted.
- b. The exchange of lands stated herein is done so without the intention of creating a new buildable lot.
- c. It is not necessary to finance this authorization by the issuance of obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.
- d. The required actions of the Township of Wyckoff, in connection with the exchange of the aforementioned lands are expressly contingent upon approval by the Wyckoff Planning Board of a Minor Subdivision Application permitting the exchange of lands set forth herein.

SECTION 4. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this ordinance, and no obligations in the matter of notes or bonds are authorized by this ordinance.

SECTION 5. This ordinance shall take effect after publication thereof and final passage as required by law.