

ORDINANCE NO. 3, 2014

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY, COMMONLY REFERRED TO AS THE POPLAR AVENUE SCHOOL, WITHIN THE CITY OF LINWOOD FROM THE LINWOOD BOARD OF EDUCATION AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey, as follows:

WHEREAS, the Linwood Board of Education has determined that, pursuant to N.J.S.A 18A:20-9, it wishes to convey the Poplar Avenue School located at 300 Poplar Avenue, Linwood, New Jersey 08221, designated as Block 127, Lot 2 on the tax map of the City of Linwood to the City of Linwood for a nominal consideration of \$1.00; and

WHEREAS, the Linwood Board of Education, by Resolution adopted on December 18, 2013, authorized the transfer of the land and building to the City of Linwood subject to the condition that the land be used for public purposes; and

WHEREAS, the transfer is further conditioned upon and subject to the approval of the Executive County Superintendent and the Division of Finance in the Department of Education pursuant to N.J.A.C. 6A:26-7.4; and

WHEREAS, the Mayor and Council of the City of Linwood, pursuant to N.J.S.A. 40A:12-5, have determined to purchase the aforesaid property for the nominal consideration of \$1.00, subject to the condition that said land be used for public purposes;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Linwood that the City of Linwood is hereby authorized to acquire the property described herein for a nominal consideration of \$1.00 and pursuant to a Resolution passed by the Linwood Board of Education on December 18, 2013, wherein said transfer was authorized;

BE IT FURTHER ORDAINED, that the City of Linwood accepts and agrees to use this land for public purposes;

BE IT FURTHER ORDAINED, that this acquisition is subject to and conditioned upon the approval of the Executive County Superintendent and the Division of Finance in the Department of Education pursuant to N.J.A.C. 6A:26-7.4;

BE IT FURTHER ORDAINED, that the Mayor and City Clerk be and are hereby authorized, directed and empowered to execute any and all necessary and required documents in order to effect this purchase;

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence or provision of any item in this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

This Ordinance shall take effect upon its final passage and publication as provided by law.

FIRST READING: January 22, 2014
PUBLICATION: January 27, 2014
PASSAGE: February 12, 2014

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on January 22, 2014 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on February 12, 2014.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR