

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 2-2008**

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN  
AUTHORIZING THE PRIVATE SALE OF AN ACCESS EASEMENT  
IN BLOCK 8000, LOT 1 TO THE COUNTY OF BURLINGTON FOR  
NOMINAL CONSIDERATION TO ENHANCE THE BOUNDARY  
CREEK NATURAL RESOURCE AREA**

**WHEREAS**, the County of Burlington has requested that the Township of Moorestown grant an access easement to the landlocked parcel known as Block 8000, Lot 1 for park improvements to be constructed at the Boundary Creek Natural Resource Area; and

**WHEREAS**, the Township and County have a favorable history of cooperation for the purpose of open space preservation; and

**WHEREAS**, the Township Council has determined that Block 8000, Lot 1 is not needed for a municipal public purpose and that the granting of an access easement to the County of Burlington will enable the County to construct park improvements for the Boundary Creek Natural Resource Area.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, as follows:

**Section 1. GRANT OF ACCESS EASEMENT IN BLOCK 8000, LOT 1.**  
An access easement in Block 8000, Lot 1 is to be conveyed to the County of Burlington for \$1.00 pursuant to *N.J.S.A. 40A:12-13(b)(1)*. The purpose of the easement is to permit access to park improvements at the County of Burlington's Boundary Creek Natural Resource Area. The conveyance is made for \$1.00 and other valuable consideration in recognition of the County of Burlington's participation in the Township of Moorestown's ongoing open space acquisition program. The access easement is attached hereto as Exhibit 1.

**Section 2. LIMITATION.**  
The deed shall contain a limitation that the access easement is only to be used for public purposes by the County of Burlington, and that if the access easement is not used in accordance with the limitation, it shall automatically extinguish.

**Section 3. OFFICIAL ACTION AUTHORIZED.**  
The Mayor, Township Clerk and Township Attorney are hereby authorized to take all necessary steps to cause the deed to be executed and recorded in the office of the Burlington County Clerk.

- Section 4.** Severability. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision or part hereof directly involved in the controversy in which such judgment shall have been rendered.
- Section 5.** Repealer. Any and all other ordinances inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- Section 6.** Effective Date. This ordinance shall take effect upon proper publication and in accordance with law.
- Section 7.** Short Title. This ordinance shall be known as Ordinance No. 2-2008.

#### NOTICE AND CERTIFICATION

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on January 28, 2008. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the Auditorium of the William Allen Middle School, 801 North Stanwick Road, NJ on February 11, 2008 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

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Patricia L. Hunt, Township Clerk