

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 4-2008

**AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY
PURITAN OIL COMPANY, INC. KNOWN AS 1 HIGH STREET
(BLOCK 4605, LOT 20)**

WHEREAS, the property known as 1 High Street, Block 4605, Lot 20 (the "Property") is owned by Puritan Oil Company, Inc. and is located at the intersection of East Main and High Streets; and

WHEREAS, a gasoline station and automobile repair facility have been the historic uses of the Property; and

WHEREAS, the Property must be remediated for environmental contamination; and

WHEREAS, the Township Council has determined that it would be in the best interest of the residents to acquire the Property for the purpose of creating a pocket park or similar type open space use due to its unique location in the center of historic shopping district; and

WHEREAS, the owner has agreed to remediate the Property with the proceeds from the sale and such other funds as may be necessary.

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. **ACQUISITION AUTHORIZED.** The Township Council hereby authorizes the acquisition of 1 High Street, Block 4605, Lot 20 from Puritan Oil Company, Inc. The purchase price is \$350,000.00, with the Township accepting responsibility for any environmental remediation costs which exceed \$360,000.00 but are less than \$410,000.00.

Section 2. **ACQUISITION FUNDS.** The acquisition shall be funded by the Township's Open Space Fund.

Section 3. **ACTIONS AUTHORIZED.** The Mayor and Township Clerk are hereby authorized to execute the Purchase and Sale Agreement and the Township Attorney, Chief Financial Officer, Township Manager and all other Township officials are hereby authorized to take all necessary actions to acquire the Property. Furthermore, the Township Manager is directed to coordinate the development of the Property for an appropriate Open Space use in furtherance of the rejuvenation of the downtown shopping district.

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. 4-2008.

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 February 11, 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 25, 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.

Patricia L. Hunt, Township Clerk