

## **ORDINANCE NO. 2005-1014**

### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF A TEMPORARY AND PERMANENT EASEMENT FOR THE PURPOSE OF CONSTRUCTING AND LOCATING A SIDEWALK IMPROVEMENT**

BE IT ORDAINED by the Mayor and Council of the Borough of Manville in the County of Somerset and State of New Jersey, as follows:

#### **SECTION I. AUTHORIZATION FOR ACQUISITION**

- A. Acquisition of a temporary and permanent easement on the lot described in SECTION II of this ordinance for the sum of ONE (\$1.00) DOLLAR is hereby authorized pursuant to the provisions of *N.J.S.A. 40A:12-5*.
- B. The purpose of the acquisition of to construct and locate a sidewalk improvement within the Borough of Manville.

#### **SECTION II. DESCRIPTION OF PROPERTY**

That portion of Lot 42, Block 82 on the Tax Map of the Borough of Manville as more particularly described in Schedule "A" annexed hereto and made a part hereof.

#### **SECTION III. CONSTRUCTION**

Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and, words importing one gender shall include all other genders.

#### **SECTION IV. INCONSISTENCY**

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

#### **SECTION V. SEVERABILITY**

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

#### **SECTION VI. PURPOSE OF CAPTIONS**

Captions contained in this ordinance have been inserted only for the purpose of facilitating reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

**SECTION VI. EFFECTIVE DATE**

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

\_\_\_\_\_

Philip E. Petrone, Borough Clerk

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to authorize the acquisition of an easement for the purpose of a sidewalk improvement.

**ORDINANCE #2005-1014**

**FIRST READING:**

<b>Introduced</b>	<b>Seconded</b>	<b>Council</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
√		<b>ALLAN</b>	√			
		<b>ASHER</b>	√			
	√	<b>OTRIMSKI</b>	√			
		<b>PETROCK</b>				√
		<b>PETRONE</b>	√			
		<b>WEISS</b>	√			
		<b>MAYOR CORRADINO</b>				

**PASSED** this 11<sup>th</sup> day of July, 2005.

Attest:

Philip E. Petrone, Borough Clerk

**SECOND READING:**

<b>Introduced</b>	<b>Seconded</b>	<b>Council</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
		<b>ALLAN</b>	√			
		<b>ASHER</b>	√			
	√	<b>OTRIMSKI</b>	√			
		<b>PETROCK</b>	√			
√		<b>PETRONE</b>	√			
		<b>WEISS</b>	√			
		<b>MAYOR CORRADINO</b>				

**PASSED** this 8<sup>th</sup> day of August, 2005.

Attest:

Philip E. Petrone, Borough Clerk