

ORDINANCE NO.: 08-17

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING AND AUTHORIZING THE ACCEPTING OF PROPERTY AND RECORDATION OF THE PROPOSED DEED OF DEDICATION OF PROPERTY LOCATED AT BLOCK 72.01, LOT 3**

**WHEREAS**, Trailwood Woodmont JV, LLC, a limited liability corporation of the State of New Jersey, having its principal place of business at 101 Old Short Hills Road, Suite PH-1, West Orange, New Jersey 07052, desires to convey a certain tract or parcel of land and premises situated in the Borough of Mount Arlington located in Block 72.01, Lot 3, as described in the "Description of a Parcel of Land to be dedicated to the Borough of Mount Arlington, Situated in the Borough of Mount Arlington, Morris County, New Jersey" dated February 28, 2008, Revised to March 30, 2017, prepared by Kevin P. Bollinger, PLS, Bowman Consulting Group, LTD, formerly Omland Engineering Associates, Inc., described and attached as "**Schedule A**" attached hereto and made a part hereof; and hereby warrant that they have the exclusive right and authority under the law to make this dedication to the Borough the land described herein warranted to be owned by them; and

**WHEREAS**, the Borough of Mount Arlington Borough Engineer; Borough Attorney; Developer's Engineer; and the Developer's Attorney reviewed the above-referenced conveyance documents, a copy of which is incorporated herein at length by reference; and

**WHEREAS**, in order to effectuate the acceptance of the property, the proposed conveyance documents and Metes and Bounds Descriptions are required to be recorded in the Morris County Clerk's Office; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Mount Arlington reviewed the above-referenced conveyance documents and recommends the documents be recorded in the office of the Morris County Clerk; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, authorizes municipalities to acquire real property; and

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that pursuant to N.J.S.A. 40A:12-5 the Borough of Mount Arlington is authorized to accept, and cause to be recorded along with a memorialized copy of this Ordinance, the proposed Deed of Dedication located in Block 72.01, Lot 3, as described in the "Description of a Parcel of Land to be dedicated to the Borough of Mount Arlington, Situated in the Borough of Mount Arlington, Morris County, New Jersey" dated February 28, 2008, Revised to

March 30, 2017, prepared by Kevin P. Bollinger, PLS, Bowman Consulting Group, LTD, formerly Omland Engineering Associates, Inc., described and attached as "Schedule A", a copy of which is incorporated herein at length by reference.

**BE IT FURTHER ORDAINED**, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, and the State of New Jersey, that the documents be accepted and provided to the Morris County Clerk for recordation. The Borough Mayor, Administrator and the Borough Attorney shall be authorized and empowered to sign any and all documents required to effectuate the conveyance of this parcel.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3.** If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

**SECTION 4.** This Ordinance shall take effect upon final publication as provided by law.


**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on June 13, 2017 and will be further considered after a Public Hearing held on July 11, 2017 at the Municipal Building at 7:00 P.M.

INTRODUCED:

PUBLISHED:

ATTEST:

BOROUGH OF MOUNT ALRINGTON  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

  
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Linda DeSantis, Borough Clerk

  
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Michael Stanzilis, Mayor