

TOWNSHIP OF READINGTON

**ORDINANCE AUTHORIZING ACQUISITION OF CERTAIN PROPERTY AND OF
DEVELOPMENT RIGHTS IN CERTAIN OTHER PROPERTY
IN THE TOWNSHIP OF READINGTON**

Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, 8; Block 67, Lot 2

Ordinance #25-2006

WHEREAS, the Township of Readington (“Township”) has evaluated the advisability of municipal acquisition of certain real property known and designated as Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, 8; Block 67, Lot 2 as shown on the official Tax Map of the Township and consisting of approximately 726 acres of land, less and except the Airport Facilities Area (as defined below) (the “Property”); and

WHEREAS, the Township has determined that the public interest will be served by acquisition of the entirety of the Property for public use and purposes, including, without limitation, open space and farmland preservation; land for recreational uses, conservation of natural resources, wetlands protection, water quality protection, preservation of critical wildlife habitat, historic preservation, airport preservation, and preservation of community character; and

WHEREAS, the Township has evaluated the advisability of municipal acquisition of development and/or easement rights to portions of Block 56, Lots 3 and 6 as more particularly described on Attachment A hereto, consisting of 102 acres of land, more or less (the “Airport Facilities Area”); and

WHEREAS, the Township has determined that the public interest will be served by acquisition of development and/or easement rights to the entirety of the Airport Facilities Area, for public purposes, including, without limitation, airport preservation, preservation of community character, and to further the purposes for which the Property is to be acquired; and

WHEREAS, the Township has determined that the unique and interrelated attributes of the Property and the Airport Facilities Area require acquisition of the entirety of the Property and acquisition of the development rights and/or easement rights to the entirety of the Airport Facilities Area to accomplish the manifold public purposes aforesaid; and

WHEREAS, the Township Master Plan, Parks, Recreation & Open Space and Circulation Elements recommend acquisition of the above referenced parcels as priority parcels to be acquired for the reasons described therein; and

WHEREAS, the subject parcels have been designated within a Natural Heritage Priority Site by the New Jersey Department of Environmental Protection; and

WHEREAS, the subject parcels have been designated a priority preservation area in both local and state open space and farmland preservation planning; and

WHEREAS, the Township is authorized pursuant to numerous enabling statutes to acquire the parcels or interest therein aforesaid for the manifold public purposes hereinbefore

described; and

WHEREAS, the Township has determined that it may acquire the Property and the above described interest in the Airport Facilities Area through voluntary negotiations or condemnation pursuant to the Eminent Domain Act; and

WHEREAS, the Township desires a negotiated agreement with the owners of the Property and the Airport Facilities Area, taking into account the reasonable objectives and interests of both parties; and

WHEREAS, the Eminent Domain Act provides a procedure for a municipality to engage in negotiations and to file a condemnation action in the event negotiations are unavailing and to secure a determination as to the price to be paid for the acquisition in advance of the filing of a declaration of taking;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington, in the County of Hunterdon, and State of New Jersey as follows:

1. The Township be and is authorized to commence efforts to acquire for public use, by voluntary conveyance or condemnation pursuant to the Eminent Domain Act, *N.J.S.A. 20:3-1 et seq.*, a fee simple title to the Property and the development rights to the Airport Facilities Area which together are known and designated as Block 48 Lot 28; Block 55, Lot 33; Block 56 Lots 1, 3, 6, 8; Block 67, Lot 2, and in connection therewith to do such acts as required by law necessary for the acquisition aforesaid.
2. Counsel for the Township be and is authorized and directed to take all such steps as may be advisable or required pursuant to law for the purpose of the acquisitions aforesaid, including without limitation, the completion of preliminary assessments, surveys and appraisal(s) and the making of an offer of compensation to the owner of the subject parcels in an amount not less than the amount of such appraisal(s) as may be approved by the Committee by Resolution, and the filing of such actions as may be necessary to accomplish the purposes hereof.
3. This Ordinance shall take effect immediately upon final passage, adoption and publication according to law.



Drawing no. 5761-F

April 19, 2006

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YEARS of
Engineering
Solutions

1946-2006

PORTION OF BLOCK 56, LOTS 3 AND 6

READINGTON TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY

Beginning at a point in the public road leading from Readington to North Branch, known as Thor Solberg Road, said point being the termination of the first course mentioned in a description of a 427.7 acre tract of land conveyed by Lightfield Farms, Inc. to Solberg Aviation Company, a New Jersey partnership, recorded in the Hunterdon County Clerk's Office in book 977 of deeds on page 1082 and running thence,

1. along said road south 36 degrees 27 minutes 02 seconds west 868.03 feet to a point; thence the following nine new lines through the above-mentioned property,
2. north 60 degrees 21 minutes 11 seconds west 373.67 feet to a point; thence,
3. south 29 degrees 38 minutes 49 seconds west 1,826.87 feet to a point; thence,
4. north 60 degrees 21 minutes 11 seconds west 800.00 feet to a point; thence,
5. north 29 degrees 38 minutes 49 seconds east 3,663.74 feet to a point; thence,
6. north 60 degrees 45 minutes 48 seconds west 2,732.55 feet to a point; thence,
7. north 29 degrees 14 minutes 12 seconds east 300.00 feet to a point; thence,
8. south 60 degrees 45 minutes 48 seconds east 3,394.48 feet to a point; thence,
9. south 29 degrees 14 minutes 12 seconds west 1,026.98 feet to a point; thence,
10. south 61 degrees 00 minutes 45 seconds east 486.60 feet to a point in the aforementioned Thor Solberg Road; thence,
11. along said road, south 35 degrees 23 minutes 47 seconds west 260.70 feet to the place the beginning.

All bearings being in accordance with the New Jersey State plane coordinates NAD'83 and the tract or parcel containing an area of 102.23 acres, more or less, (101.55 acres, more or less exclusive of public road right-of-way as calculated by H. Clay McEldowney, PE, LS, NJ license no. 20891.

Being part of the land and premises conveyed to the grantor herein by a deed dated December 15, 1986 and recorded in the Hunterdon County Clerk's Office in book 977 of deeds on page 1082 and as shown on a map entitled "Property Acquisition for Solberg Aviation Co. Properties", prepared by Thomas L. Yager Associates, dated 8/01/00.

Subject to any easements, or restrictions either recorded or unrecorded.

Subject to any rights-of-way as may have been granted any public utility.

Subject to the rights of the public in and to that portion of the above described premises which lies within the existing right-of-way of Thor Solberg Road, said right-of-way being measured 25 feet westerly of and at right angles to the existing pavement centerline of said road.

H. Clay McEldowney, PE, LS
New Jersey License no. 20891