

**HARDING TOWNSHIP
ORDINANCE NO. 06-15**

AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING LEASE OF A PORTION OF PROPERTY OWNED BY THE TOWNSHIP OF HARDING, BLOCK 17, LOT 1 A/K/A 8 MILLBROOK ROAD, HARDING TOWNSHIP, NEW JERSEY BY WAY OF PUBLIC BID IN ACCORDANCE WITH PROVISIONS SET FORTH IN N.J.S.A. 40A:12-14

WHEREAS, the Township of Harding is the owner of certain lands commonly referred to as Block 17, Lot 1 on Township of Harding tax map a/k/a 8 Millbrook Road, Harding Township, New Jersey (hereinafter the “Real Property”); and

WHEREAS, the Township Committee has been made aware of the need for improved cellular communication within the boundaries of the Township that would require the installation of additional cellular communication facilities and tower within Harding Township and in order to meet this need, the Township Committee has determined that a portion of Block 17, Lot 1, also known as 8 Millbrook Road, Harding Township is not needed for public use and would be an appropriate location for the installation of such a facility and tower; and

WHEREAS, N.J.S.A. 40A:12-14 (a) authorizes the leasing of public property to a private person by submission of sealed bids; and

WHEREAS, it is in the best interest of the Township to advertise for purposes of leasing a portion of the Real Property for purposes of the allowing cellular communication tower to be constructed thereon by submission of sealed bids in accordance with N.J.S.A. 40A:12-14 (a).

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Harding, County of Morris, State of New Jersey that the Real Property stated above shall be advertised for lease to a private person for purposes of installation of a cellular communication facility and tower and all necessary space and easements that may be required for access to the Real Property, pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law and specifically in accordance with section N.J.S.A. 40A:12-14 (a) as it relates to the submission of sealed bids.

BE IT FURTHER ORDAINED that the Township Committee shall also adopt a resolution setting forth terms and conditions of the bidding process and receipt of said bids in accordance with N.J.S.A. 40A:12-14 (a).

BE IT FURTHER ORDAINED that following receipt and review of the all bids and final approval of the successful bidder, if any, that the Mayor and Township Clerk shall be and are hereby authorized to execute a lease agreement in a form acceptable to the Township Attorney, for the purposes set forth herein.

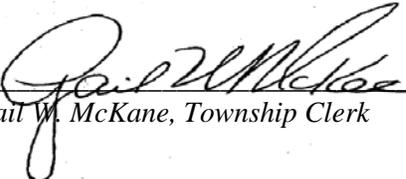
All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

This Ordinance shall take effect immediately upon final publication as provided by law.

DATED: December 14, 2015

I, Gail W. McKane, Township Clerk of the Township of Harding, County of Morris, State of New Jersey, do hereby certify the foregoing ordinance to be a true and correct copy of the ordinance adopted by the Township Committee at the meeting held on December 14, 2015.



Gail W. McKane, Township Clerk