

**HARDING TOWNSHIP
ORDINANCE #05-2020**

**AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, AUTHORIZING EXCHANGE OF INTEREST IN LANDS JOINTLY OWNED
BY THE TOWNSHIP OF HARDING FOR INTEREST IN LANDS JOINTLY OWNED BY THE
HARDING LAND TRUST**

WHEREAS, the Township of Harding, is a municipal corporation of the State of New Jersey and having an address at 21 Blue Mill Road, New Vernon, New Jersey (hereinafter the "Township") and the Harding Land Trust, is a New Jersey nonprofit corporation having an address at 110 Harter Road, New Vernon, New Jersey 07976 (hereinafter the "Trust"); and

WHEREAS, the Township and Trust are title owners as to undivided interest as Tenants in Common of certain real property and improvements located thereon and more commonly referred to as Block 23, Lot 1 on the Tax Map of the Township of Harding and containing approximately 13.1795 acres more or less (hereinafter referred to as the "Gate House"); and

WHEREAS, in accordance with a certain Agreement Between Tenants in Common dated March 22, 2005 by and between the Township and the Trust, the ownership interest of the Township and Trust in the Gate House is 70% and 30%, respectively; and

WHEREAS, the Township and Trust are also title owners of certain real property and improvements located thereon and more commonly referred to as Block 34, Lot 1 on the Tax Map of the Township of Harding, containing approximately 9.574 acres more or less (hereinafter referred to as "Glen Alpin"), with the Township having a 85.72% interest in Glen Alpin and the Trust having a 14.28% interest in Glen Alpin; and

WHEREAS, the Township and Trust desire to enter into an agreement for purposes of exchanging the Trust's interest in Glen Alpin to the Township in exchange for the Township's interest in the Gate House, in accordance with a written agreement memorializing the terms and conditions authorizing the exchange of each parties interest in the subject properties referenced herein; and

WHEREAS, the interests in the subject lands are being exchanged for a legitimate public purpose; and

WHEREAS, the Township Committee desires to authorize the exchange of the Township's interest in the Gate House for the Trust's interest in Glen Alpin pursuant to N.J.S.A. 40A:12-16.

BE IT ORDAINED, by the Township Committee of the Township of Harding, County of Morris and State of New Jersey as follows:

1. The exchange of the Township of Harding's interest in Block 23, Lot 1 on the Tax Map of the Township of Harding and more commonly referred to as the "Gate House" to the Harding Land Trust for the Harding Land Trust's interest in Block 34, Lot 1 on the Tax Map of the Township of Harding and more commonly referred to as "Glen Alpin" is hereby approved in accordance with N.J.S.A. 40A:12-16, subject to the Township successfully negotiating and executing an Agreement with the Harding Land Trust and the Mayor, Township Clerk and Township Attorney are hereby authorized to sign said Agreement and such other documents necessary to effectuate exchange, including obtaining any and all necessary inspections, title insurance, survey and subject to the Township receiving clear and marketable title.

2. The exchange of interests in said real property is being done for a desired public purpose.

**HARDING TOWNSHIP
ORDINANCE #05-2020**

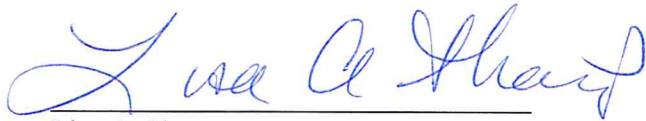
**AN ORDINANCE OF THE TOWNSHIP OF HARDING, COUNTY OF MORRIS, STATE OF
NEW JERSEY, AUTHORIZING EXCHANGE OF INTEREST IN LANDS JOINTLY OWNED
BY THE TOWNSHIP OF HARDING FOR INTEREST IN LANDS JOINTLY OWNED BY THE
HARDING LAND TRUST**

3. All ordinances or part of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.

4. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

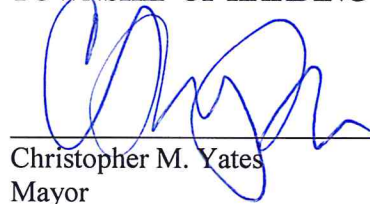
5. This Ordinance shall take effect after publication and passage according to law.

ATTEST:



Lisa A. Sharp
Municipal Clerk

TOWNSHIP OF HARDING


Christopher M. Yates
Mayor

INTRODUCED: June 8, 2020

ADVERTISED: June 11, 2020

PUBLIC HEARING: July 13, 2020

ADOPTED: July 13, 2020

ADVERTISED: July 16, 2020

Vote on Adoption:

| | MOTION | FOR APPROVAL | AGAINST APPROVAL | ABSTAIN |
|-------------|-----------------|-------------------------------------|--------------------------|--------------------------|
| Ms. DiTosto | absent | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Jones | 1st | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Modi | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Platt | 2 nd | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mr. Yates | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |