

O: 2016 - 11

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
AUTHORIZING PURCHASE OF A PORTION OF
BLOCK 402, LOTS 1, 2, and 3 FOR THE WIDENING OF
ROSEBERRY STREET**

WHEREAS, the Township of Lopatcong, the Town of Phillipsburg and the Phillipsburg School District are working together to re-design the intersection of Belvidere Road and Roseberry Street in order to install a traffic signal and turning lanes for the new Phillipsburg High School; and

WHEREAS, the design of the new intersection requires the widening of Roseberry Street; and

WHEREAS, the Town of Phillipsburg must acquire 1,470 sq. feet of land from the owner of Block 402, Lot 1; 480 sq. feet from the owner of Block 402, Lot 2; and 215 sq. feet from the owner of Block 402, Lot 3 in order to widen Roseberry Street; and

WHEREAS, the Town must also acquire a temporary construction easement from the owners of Block 402, Lots 1-4; and

WHEREAS, the Town of Phillipsburg obtained appraisals for the purchase of land and easements; and

WHEREAS, the Town of Phillipsburg offered just compensation for the parcels.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that:

Section 1

1. The Town is authorized to acquire the following portions of land for the Roseberry Street intersection widening:
 - a. A 1,470 sq. ft. portion of Block 402, Lot 1 (fee simple) and a 452 sq. ft. temporary construction easements from Darren Porter for \$21,880.00.
 - b. A 480 sq. ft. portion of Block 402, Lot 2 (fee simple) and a 295 sq. ft. temporary construction easement from Alvaro and Lillian Britto for \$11,500.00.
 - c. A 215 sq. ft. portion of Block 402, Lot 3 and a 292 sq. ft. temporary construction easement from D.K. Amin, M.D. for \$910.
2. The Mayor is hereby authorized to execute any and all documents necessary

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in order to effectuate the foregoing transfer of land, and the CFO is directed to issue payment in accordance with this Ordinance at closing upon provision of Certificate of Funds.

Section 2.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk

STEPHEN R. ELLIS
Mayor

DATED:

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their April 19, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk