

**2018-5 AN ORDINANCE OF THE  
MUNICIPALITY OF PRINCETON  
AUTHORIZING THE TRANSFER OF  
VACANT REAL PROPERTY  
LOCATED AT 224 CHERRY VALLEY  
ROAD AND DESIGNATED AS BLOCK  
601, LOT 2 ON THE PRINCETON TAX  
MAPS TO THE NEW JERSEY  
CONSERVATION FOUNDATION.**

WHEREAS, the Municipality of Princeton owns real property at 224 Cherry Valley Road in the Municipality of Princeton, being designated as Block 601, Lot 2 on the Princeton Tax Maps (the "Property"); and

WHEREAS, the Property is a vacant 2.14-acre parcel of land that was donated to the Municipality in 2017 for road widening purposes and passive recreation and conservation; and

WHEREAS, after acquiring the Property, the Township recorded an easement for road widening and temporary construction purposes by Deed dated October 16, 2017 and recorded on October 20, 2017 by the Mercer County Clerk in Deed Book 6304 Page 662-669; and

WHEREAS, Princeton having retained the easement needed for the widening of Cherry Valley Road, the Property, as more particularly described on Schedule "A" attached hereto and made a part hereof, is no longer needed for municipal purposes other than passive recreation and conservation; and

WHEREAS, the New Jersey Local Lands and Buildings Law, in particular *N.J.S.A. 40A:12-21(k)*, permits a municipality to convey land to a duly incorporated nonprofit organization which includes among its principal purposes education and recreation through a private sale for nominal consideration, provided the land shall be used only for the purposes of such organization or if not used in accordance with such limitation, shall revert to the municipality without any entry or reentry on behalf of the municipality; and

WHEREAS, the New Jersey Conservation Foundation (the "NJCF") is a duly incorporated nonprofit organization whose purposes include land conservation, stewardship and education; and

WHEREAS, the NJCF has agreed to take the Property and maintain it for passive recreation and conservation;

NOW, THEREFORE, be it ordained by the Mayor and Council of the Municipality of Princeton as follows:

Section 1. Pursuant to *N.J.S.A. 40A:12-21(k)*, the Mayor and Council hereby authorize the Municipality to convey for the sum of one dollar (\$1.00) the Property designated as Block 601,

Lot 2 on the Princeton Tax Maps, as more particularly described in Schedule "A" attached hereto and made a part hereof to the New Jersey Conservation Foundation.

Section 2. The NJCF shall use the Property only for passive recreation and conservation. If the Property is not used in accordance with those purposes, title shall revert to the Municipality without any entry or reentry made on behalf of the Municipality.

Section 3. The Mayor, Clerk, and Municipal Attorney are hereby authorized and directed to execute any and all documents and take any such other actions as are necessary to complete the above-referenced conveyance.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed to the extent of such inconsistency.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any 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 portion thereof.

Section 6. This ordinance shall take effect upon its final adoption and publication as provided for by law.

The purpose of the ordinance is to authorize the conveyance for \$1.00 of a vacant parcel on Cherry Valley Road to the New Jersey Conservation Foundation, which shall use the property for passive recreation and conservation purposes only, and to authorize municipal officials to execute documents related to the transfer.

The foregoing ordinance was introduced at a meeting of the Mayor and Council of Princeton held on February 12, 2018 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held in the main meeting room at the Princeton Municipal Complex, 400 Witherspoon Street on March 12, 2018 beginning at 7:00 p.m., and during the week prior and up to and including the date of such meeting, a copy of said ordinance shall be made available free of charge at the Clerk's Office to the members of the general public who shall request the same.

*Kathleen K. Drysdale*