

TOWNSHIP OF EVESHAM

ORDINANCE NO. 25-9-2004

**AUTHORIZING ACQUISITION OF JOHNSTON FARM
AND EXECUTION OF ALL AGREEMENTS
AND CLOSING DOCUMENTS**

WHEREAS, the Township of Evesham (the "Township"), in the County of Burlington, State of New Jersey, has determined that there is a need within the Township to acquire property for use as open space; and

WHEREAS, the Township is authorized to purchase property pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq.; and

WHEREAS, the Township has created an Open Space Plan (hereinafter "Plan") and included on the Plan the Johnston Farm (also referred to hereafter as the "Property"), which is referred to as Block 30, Lot 2 on the Township Tax Map, and consists of approximately 75.71 acres and access; and

WHEREAS, the Johnston Farm is adjacent to the Township's existing municipal complex and in proximity to Memorial Fields, thus adding to the Township's "green belt" of preservation in this area of the municipality; and

WHEREAS, the State of New Jersey (the "State") has developed a Green Acres Planned Incentive Grant Program (the "State Program") to assist municipalities with the acquisition of open space; and

WHEREAS, the County of Burlington (the "County") has established a Local Open Space Land Grant Program (the "County Program") to assist municipalities within the County in the preservation of open space; and

WHEREAS, the Township's Plan has been approved by the State Program and County Program, enabling the Township to receive funding assistance from the State and County; and

WHEREAS, in order to obtain funding under the State Program, the Township must include restrictive language in the deed obtained from the Sellers pursuant to Green Acres regulations; and

WHEREAS, in order to obtain funding under the County Program, the Township must provide a restrictive easement over the Property to the County; and

WHEREAS, the Township will hereafter be required to execute various closing documents, including but not limited to a Deed from the Sellers, related easements, an Easement to the County, and a HUD-1 form (the "Closing Documents").

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Evesham as follows:

Section 1. The Township hereby authorizes the acquisition of the Johnston Farm pursuant to its Open Space Plan, the State Program and the County Program.

Section 2. The Mayor and Township Clerk, as may be required, are authorized to execute the Closing Documents and any related documents necessary to effectuate the acquisition of the Johnston Farm, including any documents that may be required by the State or County to receive funding through the State Program or County Program, the form of which documents are conditioned upon final review and approval of the Township Attorney.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after final adoption and publication according to law.

Adopted on second and final reading on

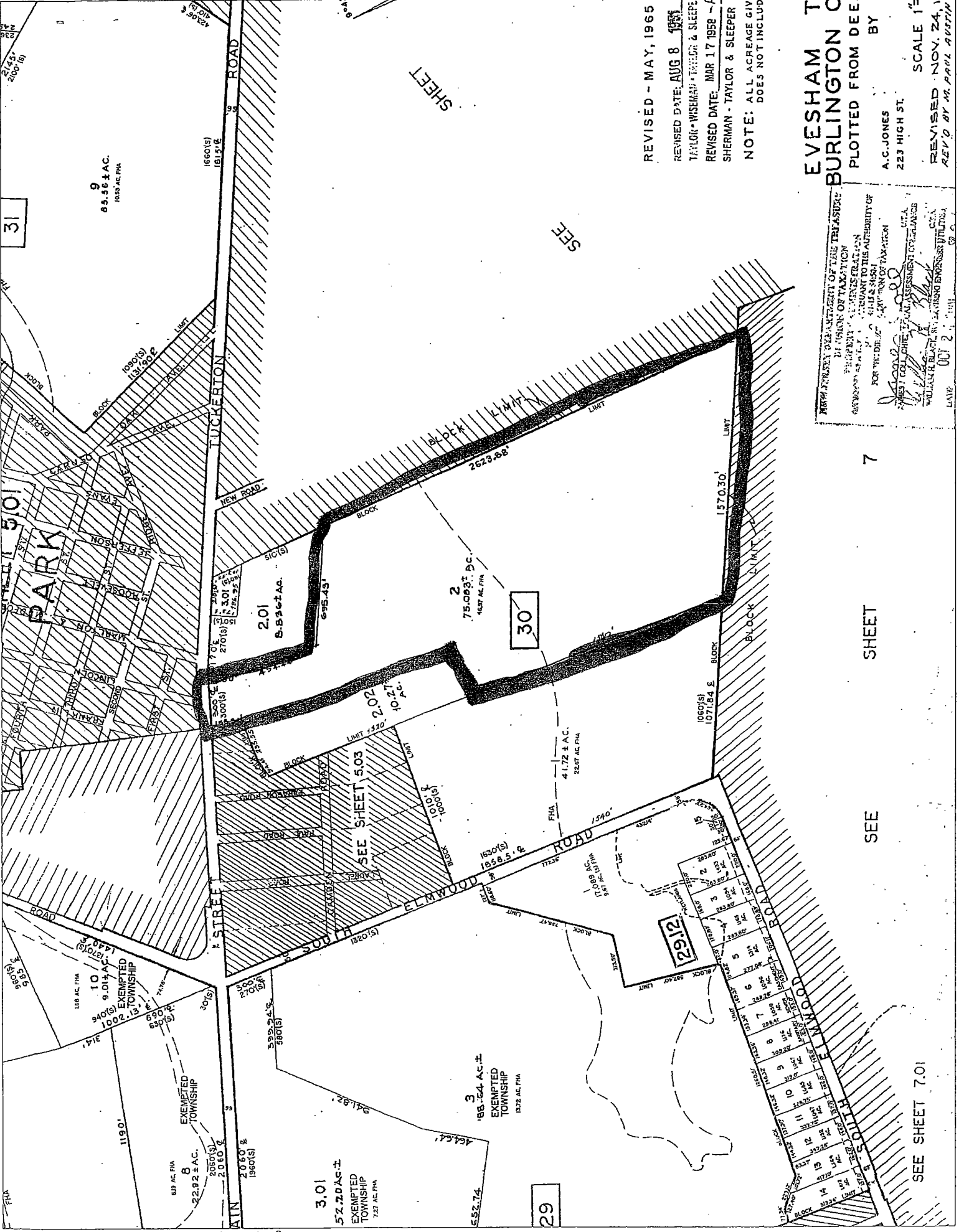
SEPTEMBER 21, 2004

August F. Tamburino

Mayor

Attest Carmela Beffuso

Clerk



REVISED - MAY, 1965
 REVISED DATE: AUG 8 1965
 TAYLOR - WISEMAN - TAYLOR & SLEEPER
 REVISED DATE: MAR 17 1958 - A
 SHERMAN - TAYLOR & SLEEPER
 NOTE: ALL ACREAGE GIV
 DOES NOT INCLUDE

EVESHAM T
BURLINGTON C
 PLOTTED FROM DEE
 BY
 A.C. JONES
 223 HIGH ST.
 SCALE 1" = 100'

NEW JERSEY DEPARTMENT OF THE TREASURY
 DIVISION OF TAXATION
 PHILADELPHIA, PENNSYLVANIA
 ACCORDANT TO THE AUTHORITY OF
 THE COMMISSIONER OF TAXATION
 FOR THE STATE OF NEW JERSEY
 JAMES COLCHIE, TAX ASSESSMENT COLLECTOR
 WILLIAM H. BLACK, TAX ASSESSMENT COLLECTOR
 DATE: OCT 2 1965