

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
O R D I N A N C E**

ORDINANCE NO. 022-2022

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF UPPER TO
PURCHASE THE PROPERTY KNOWN AS BLOCK 566, LOT 1 ON THE OFFICIAL
TAX MAP OF THE TOWNSHIP OF UPPER FOR A NOMINAL CONSIDERATION
AND TO ENTER INTO A LEASE AGREEMENT WITH THE COUNTY OF CAPE MAY
FOR THE PREMISES KNOWN AS THE “UPPER TOWNSHIP SENIOR CENTER”**

WHEREAS, pursuant to N.J.S.A. 40A:12-1 et. seq., a municipality may acquire any real property for public use; and

WHEREAS, the County of Cape May owns certain real property at Block 566, Lot 1 on the official Tax Map of the Township of Upper, County of Cape May, State of New Jersey, comprised of approximately 10.14 acres, and commonly referred to as 1369 Old Stagecoach Road, Palermo, New Jersey 08230 (“Property”); and

WHEREAS, the Township of Upper, desires to purchase the Property from the County of Cape May and continue to use same for public purposes; specifically, the Township of Upper shall subdivide the Property into two properties of approximately 2 and 8.14 acres, with said parcel of 2 acres being leased to the County of Cape May for a nominal amount for the continued operation of a senior center, and the parcel of 8.14 acres being developed into affordable housing for senior citizens; and

WHEREAS, the sale of the Property is contingent upon and subject to the Township and County executing a Lease Agreement for the County to continue operating a senior center on the Property; and

NOW THEREFORE BE IT ORDAINED by the Township Committee, the Governing Body of the Township of Upper, in the County of Cape May and State of New Jersey, as follows:

SECTION 1: PURCHASE OF BLOCK 566, LOT 1: The Township of Upper is hereby authorized to purchase from the County of Cape May the property known as Block 566, Lot 1 on the official tax map of the Township of Upper for the nominal consideration of One Dollar (\$1.00) and is further authorized to sign the Contract for Sale of Real Estate which sets forth the terms of the sale and the intended uses of the property.

SECTION 2: LEASE AGREEMENT FOR SENIOR CENTER: The Township of Upper is hereby authorized to enter into a Lease Agreement with the County of Cape May for

lease of the subdivided parcel of 2 acres, including the building known as the “Upper Township Senior Center” for the annual rent of One Dollar (\$1.00). Said Lease shall be for a term of fifty (50) years, commencing on the date of closing of the sale of Block 566, Lot 1, _____ 2022.

SECTION 3: AUTHORITY OF TOWNSHIP OFFICIALS: All Township officers, officials, and employees are hereby authorized, empowered, and directed to take any and all action necessary or required in order to carry out the intent and purpose of this Ordinance and for the purpose of carrying out the requirements of the contract between the Township of Upper and the County of Cape May with respect to the purchase and acquisition of Block 566, Lot 1. Without in any way intending to limit the generality of the foregoing, the Mayor and the Township Clerk are expressly authorized, empowered, and directed to sign any and all documents required to be executed in connection with the purchase and acquisition, including, but not limited to the Contract for Sale of Real Estate and the Lease Agreement.

SECTION 4: REPEALER: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 5: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

ATTEST:

BARBARA L. YOUNG, Township Clerk

CURTIS T. CORSON, Jr., Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 8TH DAY OF AUGUST, 2022 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 12TH DAY OF SEPTEMBER, 2022 AT 4:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

BARBARA L. YOUNG, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: August 8, 2022

Publication: August 15, 2022

Newspaper(s): The Press of Atlantic City

Second Reading & Public Hearing: September 12, 2022

Final Adoption: September 12, 2022

Final Publication Date: September 15, 2022

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on September 12, 2022 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on September 15, 2022.

BARBARA L. YOUNG, Township Clerk