

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

**ORDINANCE NO. 024-2022**

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF UPPER TO  
PURCHASE THE PROPERTY KNOWN AS BLOCK 477, LOT 7  
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF UPPER**

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**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 Estate of Robert W. DeSena owns certain real property at Block 477, Lot 7 on the official Tax Map of the Township of Upper, County of Cape May, State of New Jersey, comprised of approximately 1.5 acres of land and commonly referred to as 2010 Tuckahoe Road, Petersburg, New Jersey 08270 (“Property”); and

**WHEREAS**, the Township of Upper desires to purchase the Property from the Estate of Robert W. DeSena and use same for public purposes; and

**WHEREAS**, the Chief Financial Officer of the Township has certified the availability of funds to allow the purchase herein authorized and has certified that adequate funds are available for this purpose from the account entitled Reserve for Capital Projects; and

**WHEREAS**, the sale of the Property is contingent upon and subject to the Township and the Estate of Robert W. DeSena executing a Contract for Sale of Real Estate; 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 477, LOT 7:** The Township of Upper is hereby authorized to purchase from the Estate of Robert W. DeSena the property known as Block 477, Lot 7 on the official tax map of the Township of Upper for the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) and is further authorized to sign the Contract for Sale of Real Estate which shall set forth the terms of the sale.

**SECTION 2: 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 Estate of Robert W. DeSena with respect to the purchase and acquisition of Block 477,

Lot 7. 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.

**SECTION 3: REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

**SECTION 4: EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

ATTEST:

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BARBARA L. YOUNG, Township Clerk

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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 26<sup>TH</sup> DAY OF SEPTEMBER, 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 11<sup>TH</sup> DAY OF OCTOBER, 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: September 26, 2022

Publication: September 29, 2022

Newspaper(s): The Press of Atlantic City

Second Reading & Public Hearing: October 11, 2022

Final Adoption: October 11, 2022

Final Publication Date: October 14, 2022

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on October 11, 2022 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on October 14, 2022.

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BARBARA L. YOUNG, Township Clerk