

ORDINANCE 26-04

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN AUTHORIZING THE ACQUISITION BY NEGOTIATION OF REAL PROPERTY LOCATED AT 138 MAIN STREET DESIGNATED AS BLOCK 25, LOT 6 ON THE TAX MAP OF THE BOROUGH OF MATAWAN

WHEREAS, Local Lands and Buildings Law, *N.J.S.A. 40A:12-5, et seq.*, as amended, authorizes municipalities to acquire any real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, Ross Maghan, Jr. and Barbara J. Maghan, the owners of record (“Seller”), have expressed interest in selling to the Borough of Matawan for the Borough to acquire property located at 138 Main Street, Borough of Matawan also known as Block 25, Lot 6 on the official Tax Map of the Borough of Matawan (the “Property”); and

WHEREAS, the Borough and the Seller have begun to engage in negotiations, but have not finalized the sale of the Property; and

WHEREAS, the Governing Body of the Borough of Matawan hereby has determined that it is in the public interest to acquire the Property for municipal purposes; and

WHEREAS, the Governing Body desires to formally authorize the acquisition of the Property and the title thereto.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of Borough of Matawan, County of Monmouth, State of New Jersey as follows:

1. **RECITALS INCORPORATED**: The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.
2. **FINDINGS**: The Mayor and Council find that it is in the best interests of the Borough to acquire the Property known as 138 Main Street – Block 25, Lot 6 – on the official Tax Map of the Borough of Matawan.
3. **AUTHORIZE ACQUISITION OF PROPERTY**: The Mayor and Council of the Borough of Matawan hereby authorize any and all necessary and appropriate actions by municipal officials including the Mayor, Municipal Clerk and Municipal Attorney, for acquiring the Property as set forth herein through negotiation and purchase, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance.
4. **OFFICIALS AUTHORIZED**: All appropriate officials of the municipality, including, but not limited, to the Mayor, Municipal Clerk, Municipal Attorney, and any and all experts or others acting on behalf of the Borough are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.
5. **REPEALER**: All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.
6. **SEVERABILITY**: If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.
7. **EFFECTIVE DATE**: This Ordinance shall take effect immediately upon final adoption and publication as required by law.

Introduced:
Passed:
Adopted:

Honorable Joseph Altomonte, Mayor

CERTIFICATION OF ORDINANCE

I, Karen Wynne, Municipal Clerk of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Council of the Borough of Matawan on _____, 2026.

IN WITNESS WHEREOF, I have hereunder set my hand and seal of the Borough of Matawan this ___ day of _____, 2026.

Karen Wynne, RMC
Municipal Clerk