

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**ORDINANCE # 20-21**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON,  
STATE OF NEW JERSEY, AMENDING ORDINANCE #19-31 AUTHORIZING THE  
ACQUISITION OF THAT PROPERTY KNOWN AS BLOCK 21, LOT 16, AS SHOWN  
ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, FROM CARRIANNE HOYLE  
AND APPROPRIATING THE NECESSARY FUNDS**

**WHEREAS**, on November 18, 2019, the Township Committee of the Township of Raritan adopted Ordinance #19-31 authorizing the purchase of Block 21, Lot 16, as shown on the Tax Map of the Township of Raritan (“Property”); and

**WHEREAS**, since the adoption of Ordinance #19-31 a survey of the Property was prepared confirming the acreage to be acquired; and

**WHEREAS**, the confirmed acreage to be acquired increased thereby increasing the purchase price of the Property and the appropriation; and

**WHEREAS**, the purpose of this Ordinance is to amend Ordinance #19-31 to provide for these increases; and

**WHEREAS**, the Township of Raritan was offered the opportunity to acquire the Property for recreation and open space by assignment from the New Jersey Conservation Foundation (“NJCF”); and

**WHEREAS**, the Property offered to the Township consists of a gross area of approximately 48.329 acres, of which 46.860 acres are to be deed restricted for recreation and open space purposes and 1.404 acres for right-of-way purposes and .065 acre for a bridge maintenance easement; and

**WHEREAS**, title to the Property is currently vested to the Estate of Warren J. Etzel; and

**WHEREAS**, Mr. Etzel passed away on April 4, 2018 and letters testamentary were issued on May 11, 2019 by the Register of Wills of Bucks County Pennsylvania for Mr. Etzel’s Estate; and

**WHEREAS**, Mr. Etzel’s last will and testament names Carrienne Hoyle as recipient of the Property although title has not been transferred to Ms. Hoyle’s name; and

**WHEREAS**, the contract purchaser, NJCF, entered into an Option Agreement for Purchase of the Property with Carrienne Hoyle and agreed to assign the Property to the Township for a contribution of a Green Acres Program Grant from Raritan Township and a Hunterdon County Open Space Trust Fund Grant from New Jersey Conservation Foundation, each in the sum of \$157,898.98; and

**WHEREAS**, once the Property is restricted for open space and recreation use at closing of title, the Township no longer needs to hold the Property and may convey its interest to NJCF; and

**WHEREAS**, NJCF assembled various funding sources for the purchase price of the Property as follows:

**Source of Funds**

Department of Environmental Protection, Green Acres Program Grant to Township of Raritan

Non-profit Grant from County of Hunterdon Open Space Trust Fund to New Jersey Conservation Foundation; and

**WHEREAS**, upon closing the Township will take title to the Property as required by the New Jersey Green Acres program; and

**WHEREAS**, however, through a conveyance by the Township of its interest in the Property at closing to NJCF, NJCF will own 100% of the Property; and

**WHEREAS**, the acquisition of the Property is contingent upon the funding sources contributing the full purchase price for the property; and

**WHEREAS**, the funding is from the following sources:

<b>Party</b>	<b>Source of Funds</b>	<b>Amount</b>
Township	Green Acres Program Grant	\$157,898.98
NJCF	Hunterdon County Open Space Trust Fund	\$157,898.98
Total		\$315,797.97

**WHEREAS**, the Township desires to acquire title to the Property and then immediately convey its interest to the NJCF; and

**WHEREAS**, the Township plans to appropriate \$157,898.98 from a Green Acres Program Grant and \$157,898.98 from New Jersey Conservation Foundation’s Hunterdon County Open Space Trust Fund grant for a total of \$315,797.97 for the purposes described in this Ordinance; and

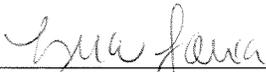
**WHEREAS**, the Township’s willingness to purchase the Property is contingent upon the appropriation of funds by the New Jersey Legislature to fund the Township’s Green Acres Grant and the funds from the Hunterdon County Open Space Funds.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

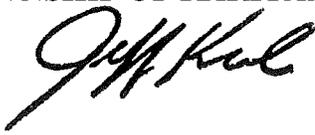
1. The Township of Raritan hereby approves and authorizes the Township's Mayor, Administrator, Clerk and Attorney to execute any and all documents necessary to consummate the acquisition of the Property pursuant to the terms of this Ordinance, including but not limited to:
  - a) Assignment of Interest in Unimproved Real Property;
  - b) Deed to New Jersey Conservation Foundation;
  - c) Declaration of Conservation Restrictions;
  - d) Closing Statement;
  - e) Reimbursement vouchers or other similar payment request; and
  - f) Such other documents as are necessary to consummate this transaction.
2. Appropriate up to \$157,898.98 from a Green Acres Program Grant allocated to the Township and \$157,898.98 from the Hunterdon County Open Space Trust Fund to acquire the Property.
3. The documents described in Paragraph 1 above shall provide the following:
  - a) Title shall be by Bargain and Sale Deed with Covenants against Grantor's Acts.
  - b) The Township conveying the Property to the New Jersey Conservation Foundation.
  - c) The closing shall be contingent upon the funding as described above.
  - d) Title shall be subject to a restrictive covenant limiting the use of the Property to recreation and open space purposes.
4. This Ordinance shall take effect in accordance with law.

**DATE ADOPTED:** June 16, 2020

**ATTEST:**

  
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Lisa Fania, RMC  
Township Clerk

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
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Jeff Kuhl  
Mayor