

RESOLUTION

WHEREAS, the Township of West Orange is the owner of unimproved and undeveloped real property in Blocks 176.04 and 176.08 along Arnold Terrace an unimproved street; and

WHEREAS, this property is located behind residential properties along Cliff Street in the Grande at Pleasantdale subdivision; and

WHEREAS, the property owners at 26 Cliff Street, Maurice and Ertha McKenzie, and 28 Cliff Street, Marc and Laura Shaprio, expressed an interest in purchasing a portion of Township owned property to buffer their residences from any future development of Township property; and

WHEREAS, the size of the parcels both the McKenzie's and the Shaprio's expressed an interest to acquire exceeded the minimum required lot areas for properties in an R-5 residential zone which is 10,000 square feet; and

WHEREAS, to protect the two parcels from any future development and to preserve the land in its current wooded condition the Township will place deed restrictions on the parcels and conservation easements within them; and

WHEREAS, these restrictions make these parcels non buildable and thus they may be offered for sale to adjoining lot owners in lieu of a public auction; and

WHEREAS, the Township obtained the Professional Land Surveying services of G.C. Stewart Associates, Inc. of Essex Fells, New Jersey to perform a boundary survey of Township owned property in Blocks 176.04, 176.07 and 176.08 which are adjacent to the rear yards of properties fronting Cliff Street; and

WHEREAS, based on the boundary survey, Charles P. Stewart, P.L.S. of G.C. Stewart Associates prepared a plan entitled Map Showing Proposed Land Merger, Block 176.07, 176.08, Block 176.04, Marmon Terrace and Arnold Terrace dated May 7, 2008 which created two parcels- one adjacent to property of the Mackenzie's consisting of Block 176.08, Filed Map Lots 11, 12 and a portion of Filed Map Lot 13 containing 14,008 square feet and a second parcel adjacent to property of the Shaprio's consisting of Block 176.04, Filed Map Lots 17 and 18 and a portion of Arnold Terrace to be vacated containing 22,321 square feet; and

WHEREAS, since the parcels are not buildable lots the Township Assessor placed a value of \$1.00 per square foot on them or \$14,008.00 and \$22,321.00 respectively; and

WHEREAS, all adjoining property owners were notified of the sale of these parcels at the values stated with deed restrictions which would prohibit building on these parcels and conservation easements to maintain them in their current conditions; and

WHEREAS, only the Mackenzie's of 26 Cliff Street, Block 178.56, Lot 12 expressed an interest to purchase the proposed 14,008 square foot parcel adjacent to their property and only the Shaprio's of 28 Cliff Street, Block 178.56, Lot 11 expressed an interest to purchase the proposed 22,321 square foot parcel adjacent to their property; and

WHEREAS, based on the interest of the MacKenzies and the Shaprios the Township's Administration recommends selling the parcels of Township owned property adjacent to their residences as depicted on the Map Showing Proposed Land Merger prepared by Charles P. Stewart, P.L.S. to them with restrictions preventing any building and with conservation easements to preserve the land in its current condition at a consideration of \$1.00 per square foot or \$14,008.00 and \$22,321.00 respectively; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that it concurs with the recommendation of the Township Administration to sell Township owned property as depicted on the Map Showing Prepared Land Merger, Block 176.07, Block 176.08, Block 176.04 Marmon Terrace and Arnold Terrace prepared by Charles P. Stewart, P.L.S. dated May 7, 2008 consisting of 14,008 square feet in Block 176.08 to the adjoining property owner Maurice and Ertha McKenzie of 26 Cliff Street and to sell Township owned property consisting of 22,321 square feet in Block 176.04 and a portion of vacated Arnold Terrace to the adjoining property owner Marc and Lauren Shaprio of 28 Cliff Street with deed restrictions to prohibit any building on each lot and conservation easements to prohibit disturbance of the parcels and to maintain them in their current condition at a consideration of \$1.00 per square foot or \$14,008.00 and \$23,321.00 respectively.

BE IT FURTHER RESOLVED that the Administration is directed to prepare all necessary Ordinances to authorize the sale and Ordinances to vacate a portion of Arnold Terrace.

Karen J. Carnevale, Municipal Clerk

Patricia Spango, Council President

Adopted: August 30, 2011