

BOROUGH OF HO-HO-KUS  
COUNTY OF BERGEN, NJ

**ORDINANCE NO. 2023-78**

**AN ORDINANCE TO ACQUIRE BLOCK 1014, LOT 3, COMMONLY KNOWN AS 620 CLIFF STREET FROM VETERANS OF FOREIGN WARS IN ACCORDANCE WITH N.J.S.A. 40A:12-5.**

**WHEREAS**, the Veterans of Foreign Wars (“VFW”) is the fee simple owner of real property known as Block 1014, Lot 3 a.k.a. 620 Cliff Street and which piece of said real property is about to be conveyed to the Borough of Ho-Ho-Kus: and

**WHEREAS**, a contract for the purchase of the subject premises has been negotiated and prepared and is now ready for execution by the proper Borough Officials; and

**WHEREAS**, a copy of the proposed contract of sale is on file with the Borough Clerk and same is available for public inspection during the normal business hours of the Borough of Ho-Ho-Kus; and

**WHEREAS**, the Borough of Ho-Ho-Kus desires to acquire part of the subject premises in accordance with the provisions set forth in N.J.S.A. 40A:12-5; and

**WHEREAS**, the laws of the State of New Jersey permit a municipality by ordinance to authorize the acquisition of private and/or public property by purchase and/or gift.

**WHEREAS**, the Borough of Ho-Ho-Kus wishes to ratify the actions of the Borough Officials in negotiating the contract to acquire the subject property;

**NOW THEREFORE BE IT ORDAINED** and enacted by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

1. The Mayor, Clerk and Borough Attorney are hereby authorized to execute any and all necessary documents in order to acquire the said real property;
2. The actions of the Borough Officials in negotiating the subject contract are hereby ratified;
3. The Borough shall accept an appropriate Deed and such other documents as may be reasonably required to acquire marketable Title in accordance with this ordinance.
4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
5. If any part, sections, provisions, or the total of any of the abovementioned publications are held to be invalid or unenforceable by any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Borough of Ho-Ho-Kus.

This Ordinance shall become effective immediately upon adoption and publication according to law.

NOTICE OF PENDING ORDINANCE

This Ordinance published herewith was introduced and pass upon first reading at a meeting of the Municipal Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, held on January 24, 2023. It will be further considered for final passage after the public hearing thereon, at a meeting of said Municipal Council to be held in the Municipal Building, 333 Warren Avenue, Ho-Ho-Kus, NJ 07423-1547, in said Borough at the Public Meeting on February 28, 2023, at 7:00 p.m. at which time and place all interested member of the public who desire will be given an opportunity to be heard in connection with said Ordinance, and during the week prior to and up to and including the date of such meeting, copies of said has been posted on the bulletin board upon which public notices are customarily posted in the Borough Hall and copies are available at no charge in the Office of the Borough Clerk for members of the general public who may request them.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF AN ORDINANCE ADOPTED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HO-HO-KUS AT THE SINE DIE PUBLIC MEETING ON **February 28, 2023.**

ATTEST: \_\_\_\_\_ Joan Herve, RMC, Borough Clerk

APPROVED: \_\_\_\_\_ Thomas W. Randall, Mayor