

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 23-2004**

**AUTHORIZING THE LEASE OF A PORTION OF BLOCK 400 LOT 13 (ROUTE 90 TRACT) A PORTION OF BLOCK 502 LOT 5 (WESLEY BISHOP PARK), A PORTION OF BLOCK 5800 LOT 46, BLOCK 7200 LOT 1, AND BLOCK 7100 LOT 43 (BENNER OPEN SPACE/WINNER FIELDS) AND ALL OF BLOCK 7401 LOT 3 (THE NAGLE TRACT) FOR THE CULTIVATION OF CROPS**

WHEREAS, Block 400 Lot 13 (Route 90 Tract), Block 502 Lot 5 (Wesley Bishop Park), Block 5800 Lot 46, Block 7200 Lot 1 and Block 7100 Lot 43 (Benner Open Space/Winner Fields) and Block 7401 Lot 3 (the Nagle Tract), have been acquired for public purposes; and

WHEREAS, until such time as these properties are needed for an alternate public purpose it is in the best interest of the Township to lease said property for farming.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown in Burlington County, State of New Jersey as follows:

Section 1. The lease of a portion of Block 400 Lot 13 (Route 90 Tract), a portion of Block 502 Lot 5 (Wesley Bishop Park), a portion of Block 5800 Lot 46, Block 7200 Lot 1 and Block 7100, Lot 43 (Benner Open Space/Winner Fields) and all of Block 7401 Lot 3 (The Nagle Tract) for cultivation of crops is hereby authorized pursuant to N.J.S.A. 40A:12-14.

Section 2. As of September 13, 2004, the tillable acres at these tracts are as follows:

A.	Route 90 Tract	2 Acres
B.	Wesley Bishop Park	7 Acres
C.	Benner Open Space/Winner Fields	115 Acres
D.	Nagle Tract	12 Acres

Section 3. Each lease shall be awarded to the highest bidder at public auction. The minimum acceptable bid shall be fifty dollars (\$50.00) per tillable acre per year for tracts under 50 acres in size and thirty dollars (\$30.00) per tillable acre per year for tracts over 50 acres in size. The Township reserves the right to reject all bids as may be in the best interest of the township.

Section 4. Said leases shall be for three years, covering the 2005 – 2007 growing seasons. The Township reserves the right to cancel said lease between September 1<sup>st</sup> and December 31<sup>st</sup> of each year without penalty.

Section 5. The Township Manager, or his designee, is hereby authorized to draft the specific terms and conditions of said lease and advertise same in accordance with N.J.S.A. 40A:12-14

- Section 6. The Township Manager shall report the bid results to the Township Council at the next regularly scheduled Council meeting.
- Section 7. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.
- Section 8. Repealer. All ordinances inconsistent with this ordinance are hereby repealed only to the extent of said inconsistency.
- Section 9. Effective Date. This ordinance shall take effect upon adoption and publication according to law.
- Section 10. Short Title. This ordinance shall be known as Ordinance No. 23-2004.

#### NOTICE AND CERTIFICATION

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on September 13, 2004. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the Council Chambers of Moorestown Township, 111 West Second Street, Moorestown, NJ on September 27, 2004 at 8pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

PATRICIA L. HUNT, RMC  
Township Clerk