

**BOROUGH OF FLORHAM PARK
ORDINANCE # 11-2**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF
THE BOROUGH OF FLORHAM PARK, IN THE COUNTY OF MORRIS,
STATE OF NEW JERSEY, TO AUTHORIZE THE ANNEXATION OF
LANDS TO THE BOROUGH OF MADISON KNOWN AS BLOCK 1401,
LOT 5.02, and BLOCK 1503, LOT 1 ON THE TAX MAP OF
THE BOROUGH OF FLORHAM PARK**

WHEREAS, pursuant to N.J.S.A. 40A:7-12 and N.J.S.A. 40A:7-24, the Borough of Madison and the Madison Board of Education have petitioned the Borough Council of the Borough of Florham Park to annex to the Borough of Madison certain real property located within the Borough of Florham Park which is contiguous to the municipal boundary line between the Borough of Florham Park and the Borough of Madison and designated on the Official Tax Map of the Borough of Florham Park as Block 1401, Lot 5.02, and Block 1503, Lot 1.

WHEREAS, the Borough of Madison is the owner of Lot 5.02 of Block 1401 and the Madison Board of Education is the owner of Lot 1 of Block 1503 which are both vacant parcels of real property containing no legal voters residing thereon;

WHEREAS, the Florham Park Planning Board considered the request for annexation and by Resolution adopted December 20, 2010, and recommended that the Mayor and Council authorize the annexation of the properties pursuant to the agreement;

WHEREAS, the petition for annexation and attachments thereto satisfy all of the requirements of N.J.S.A. 40A:7-12 and N.J.S.A. 40A:7-24 for annexation of property, including a resolution approved by two-thirds of the

membership of the Borough Council of the Borough of Madison and a resolution approved by the Madison Board of Education;

WHEREAS, the annexation of the real property is consistent with a settlement agreement entered into between the Borough of Florham Park, the Borough of Madison, Rock Florham, LLC, and Rock GW, LLC which agreement has been determined by the Council to be in the public interest.

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

SECTION 1. Pursuant to N.J.S.A. 40A:7-12 and N.J.S.A. 40A:7-24, the Mayor and Council of the Borough of Florham Park hereby authorize the annexation of the properties designated on the Official Tax Map of the Borough of Florham Park as Block 1401, Lot 5.02 and Block 1503, Lot 1, which property shall hereafter become part of the Borough of Madison, and all laws and regulations affecting the Borough of Madison shall extend to and have the same effect within the properties as they shall have had within the remaining territory of the Borough of Madison.

SECTION 2. The Borough Clerk is hereby directed to file in the office of the Morris County Clerk and the office of the Secretary of State a certified copy of this Ordinance.

SECTION 3. All ordinances inconsistent with this Ordinance are hereby repealed with regard to such inconsistency.

SECTION 4. If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

SECTION 5. This Ordinance shall take effect upon final publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Florham Park introduced on February 15, 2011.

INTRODUCED: February 15, 2011

ADOPTED: March 29, 2011

R. Scott Eveland, Mayor

ATTEST:

Sheila Williams, Borough Clerk