

**CITY OF LAMBERTVILLE**  
**ORDINANCE NUMBER 27-2019**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE  
AUTHORIZING THE ACCEPTANCE OF A DONATION OF A PORTION OF REAL  
PROPERTY IDENTIFIED ON THE TAX MAP OF THE CITY OF LAMBERTVILLE  
AS BLOCK 1043, LOT 6 FOR PUBLIC PURPOSES**

**WHEREAS**, the State of New Jersey Department of Environmental Protection, Division of Parks and Forestry [hereinafter the “NJDEP” or “State”] contacted the City of Lambertville [hereinafter the “City”] regarding the donation of real property located within the Delaware & Raritan Canal State Park; and

**WHEREAS**, the NJDEP has offered the City to acquire a portion of real property identified on the official tax map of the City as Block 1043, Lot 6 and more commonly known as “Cavallo Park,” [hereinafter the “Property”] in fee for nominal consideration, subject to a permanent conservation easement or restriction and including a reverter prohibiting the future sale or transfer of the Property for non-parkland purposes; and

**WHEREAS**, on October 9, 2014, the City Council of the City of Lambertville [hereinafter the “City Council”] adopted Resolution 127-2014 [hereinafter the “Resolution”], which memorialized the City’s willingness to accept the Property from the State subject to certain conditions set forth in the “Deed With Restrictions and Reverter” for the Property [hereinafter the “Deed”]; and

**WHEREAS**, upon the conveyance of the Deed for the Property, the State will apply to the City’s Planning Board for the subdivision of Block 1043, Lot 6 to designate the Property (+/- 0.97 acres) as Block 1043, Lot 6.01; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City to accept the NJDEP’s donation of the Property for public purposes; and

**WHEREAS**, the City is accepting the transfer of title to the Property consistent with its authority to accept a donation of land from the State for public purposes pursuant to the Local Public Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., and wishes to memorialize its authority to accept the Property consistent with law and pursuant to this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey that:

**SECTION I:** The City Council of the City of Lambertville hereby authorizes the acceptance of title to the Property for public purposes.

**SECTION II:** Title to the Property shall be transferred by a Deed with Restrictions and Reverter and the Property shall be conveyed to the City, subject to all conditions of this Ordinance and as set forth in the Deed.

**SECTION III:** The City Council of the City of Lambertville hereby authorizes the acquisition of the Property subject to the following:

- 1) The State of New Jersey will make an application to the City of Lambertville's Planning Board for the subdivision of Block 1043, Lot 6, to designate the Property (+/- 0.97 acres) as Block 1043, Lot 6.01.
- 2) The Deed shall include a reverter clause from the City of Lambertville to the NJDEP in the event that the City deems that the remedial action has not met its objective of mitigating soil contamination to the appropriate remediation standards pursuant to N.J.A.C. 7:26D.
- 3) The Deed shall include a reverter clause from the City of Lambertville to the NJDEP in the event that the City deems that the remedial action activities uncover any unforeseen, objectionable and/or unreasonable costs, hazards and/or continuing maintenance issues and shall be contingent upon the City receiving the no further action letter from the NJDEP.
- 4) The Deed will include a permanent conservation easement or a restriction in a form acceptable to the New Jersey Economic Development Authority.
- 5) The Deed will include a reverter clause to the NJDEP prohibiting the future sale or transfer of the Property for non-parkland purposes.

**SECTION IV:** The Mayor, Business Administrator, and City Solicitor [hereinafter collectively referred to as "Authorized Persons"] are hereby authorized and directed to take any and all actions necessary to initiate and acquire fee simple title to the Property.

**SECTION V: SEVERABILITY.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reasons, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

**SECTION VI: EFFECTIVE DATE.** This Ordinance shall take effect upon final passage and publication in accordance with the law.

INTRODUCTION AND FIRST READING:           October 17, 2019

PUBLIC HEARING AND SECOND READING:   November 26, 2019

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**MAYOR**

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**CITY CLERK, RMC/CMR**

**CITY OF LAMBERTVILLE  
NOTICE OF PENDING ORDINANCE  
Ordinance No. 27-2019**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE  
AUTHORIZING THE ACCEPTANCE OF A DONATION OF A PORTION OF REAL  
PROPERTY IDENTIFIED ON THE TAX MAP OF THE CITY OF LAMBERTVILLE AS  
BLOCK 1043, LOT 6 FOR PUBLIC PURPOSES

**Take Notice** that the Ordinance identified above which authorizes the City of Lambertville to acquire a portion of real property identified on the tax map of the City of Lambertville as Block 1043, Lot 6 and more commonly known as Cavallo Park, has been adopted on first reading by the City Council of the City of Lambertville, County of Hunterdon, State of New Jersey, held on October 17, 2019. It will be considered for final passage after public hearing to be held on November 26, 2019, at 7:00 P.M. in the Phillip L. Pittore Justice Center, 25 S Union Street, Lambertville, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the City Clerk of the City of Lambertville in City Hall. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in City Hall, 18 York Street, Lambertville, NJ 08530.

Cynthia Ege, CMR/RMC  
City Clerk