

SLC (KN-MISC.OUT)
Deed Notice Ordinance
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AN ORDINANCE 01-19

AUTHORIZING THE EXECUTION AND RECORDING OF A DEED NOTICE PERTAINING TO PROPERTY DESIGNATED AS BLOCK 10801, LOT 102 (FORMERLY BLOCK 11, LOT 49.02) ON THE TAX MAP OF THE BOROUGH OF KINNELON IN ACCORDANCE WITH N.J.S.A. 58:10B-13

WHEREAS, the Borough of Kinnelon is the fee owner of Block 10801, Lot 102 (formerly Block 11 Lot 49.02), also known as 130 Kinnelon Road, on the Tax Map of the Borough of Kinnelon, Morris County, State of New Jersey (the "Property"); and

WHEREAS, the historical use of the Property has required certain remediation for soil contamination; and

WHEREAS, the Borough of Kinnelon has remediated contaminated soil at the Property, in accordance with a remedial action plan which conforms to the regulations of the New Jersey Department of Environmental Protection, but certain contaminants remaining in the remediated soil do not allow for the unrestricted use of a portion of the Property (the "Restricted Area"); and

WHEREAS, the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-13, *et seq.*, requires the recording of a Deed Notice to subsequent owners, lessees and operators of the restrictions imposed upon the Restricted Area of the Property, in the form attached hereto and made a part hereof; and

WHEREAS, the proposed Deed Notice has been reviewed and approved by the Borough Engineer and Borough Attorney.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION ONE. The Deed Notice, attached hereto, as prepared by Jeffrey W. Anderson, LSRP, License No. 573629 of Atlantic Environmental Solutions, Inc. is hereby accepted.

SECTION TWO. The Borough Mayor and Borough Clerk are hereby authorized to execute and record the Deed Notice on behalf of the Borough, in accordance with N.J.S.A. 58:10B-13. The Borough Clerk shall cause the Deed Notice to be recorded with the Office of the Morris County Clerk, in accord with N.J.S.A. 58:10B-13.

SECTION THREE. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION FOUR. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

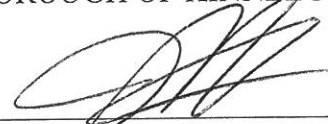
SECTION FIVE. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON



Karen M. Iuele, RMC, Borough Clerk



James J. Freda, Mayor

CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at the regular meeting of the Borough held on January 17, 2019 and adopted by the Governing Body at a regular meeting of the Borough held on February 21, 2019.



Karen M. Iuele, RMC, Borough Clerk