

**ORDINANCE 975**  
**APPROVING THE ACQUISITION OF CERTAIN LAND BY**  
**THE BOROUGH OF BARRINGTON FROM MARYJO ANN**  
**SOUTHARD, AND AUTHORIZING THE LITIGATION**  
**NECESSARY TO IMPLEMENT SAID ACQUISITION**

**WHEREAS**, the Borough of Barrington (hereinafter “Barrington”) is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and

**WHEREAS**, by Resolution adopted on July 11, 2000 and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:20-1 *et seq.* (“Local Redevelopment and Housing Law”), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Barrington (“Borough”) directed the Planning Board of the Borough of Barrington (“Planning Board”) to conduct a preliminary investigation to determine whether an area comprising the Economic Redevelopment - Phase I and II, inclusive of Lots 12.01 and 13.01 in Block 57 on the Official Tax Map of the Borough (hereinafter designated as the “Economic Redevelopment - Phase I and II Project Area”) as an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

**WHEREAS**, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-6, and held a public hearing on this matter; and

**WHEREAS**, by Resolution adopted on June 25, 2001, and pursuant to N.J.S.A. 40A:12A-6(b)(5), the Planning Board recommended to the Borough Council that the Barrington Economic Redevelopment - Phase I and II Project Area be determined to be an area in need of redevelopment (the “Redevelopment Area”); and

**WHEREAS**, by Resolution adopted July 10, 2001, the Borough Council approved the Planning Board’s recommendation that the area comprising the stated Economic Redevelopment - Phase I and II was determined to be an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-6; and

**WHEREAS**, by Ordinance adopted August 14, 2001, the Borough Council adopted the Redevelopment Plan of the Borough of Barrington (“Redevelopment Plan”) for the Redevelopment Area, based on the report containing the recommendation of the Planning Board following the Planning Board’s review of the Redevelopment Plan; and

**WHEREAS**, the Maryjo Ann Southard (“Southard”) is the owner of real property located at 300 White Horse Pike, more fully described as Lots 12.01 and 13.01 in Block 57 on the Official Tax Map of the Borough of Barrington, which is within the boundaries of the stated Economic Redevelopment - Phase I and II area; and

**WHEREAS**, Barrington has made a bona fide offer to purchase a portion of the above referenced property from Southard for consideration in the amount of Three Hundred, Thirty-one Thousand, Two Hundred (\$331,200.00) Dollars; and

**WHEREAS**, this bona fide offer to purchase a portion of this property made by Barrington has been rejected by Southard; and

**WHEREAS**, Barrington wishes to assert its rights of eminent domain and commence a condemnation action to acquire a portion of this property from Southard; and

**WHEREAS**, the acquisition of a portion of this property by Barrington is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

**WHEREAS**, it is the intention of the Mayor and Borough Council of the Borough of Barrington to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Barrington in furtherance of this property acquisition.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Barrington, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the acquisition of a portion of the real property located at 312 White Horse Pike, in the Borough of Barrington, more fully described as Lots 12.01 and 13.01 in Block 57 on the Official Tax Map of the Borough of Barrington from the Maryjo Ann Southard is hereby approved; and

**AND BE IT FURTHER ORDAINED** that John D. Rink, Mayor of the Borough of Barrington and Terry Shannon, Borough Clerk of the Borough of Barrington be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Barrington; and

**AND BE IT FURTHER ORDAINED** that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Barrington, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Barrington.

**THE BOROUGH OF BARRINGTON**

**BY:** \_\_\_\_\_  
**JOHN D. RINK, MAYOR**

**ATTEST:**

**TERRY SHANNON, BOROUGH CLERK**

The foregoing Ordinance was introduced by the Mayor and Borough Council at the regular meeting held on October 11, 2011. This Ordinance will be considered for adoption on final reading and public hearing to be held on November 9, 2011 at 8:00 p.m. in the Council Meeting Room, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.

The purpose of this Ordinance is to approve an acquisition of certain land by the Borough of Barrington from Maryjo Ann Southard located at 312 White Horse Pike, Barrington, New Jersey. A copy of this Ordinance is available at no charge to the general public between the hours of 9:00 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Barrington Municipal Building, 229 Trenton Avenue, Barrington, New Jersey.