

**BOROUGH OF SUSSEX
COUNTY OF SUSSEX
ORDINANCE NO. 2024-24**

AN ORDINANCE OF THE BOROUGH OF SUSSEX, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ACQUISITION OF EASEMENT FOR ELECTRICAL SERVICE OVER A PORTION OF BLOCK 702, LOT 2, SUSSEX BOROUGH, SUSSEX COUNTY, NEW JERSEY.

WHEREAS, N.J.S.A. 40A:12-4 and 40A:12-5 authorize a municipality to acquire real property or any interest therein;

WHEREAS, there is a need to provide electrical service for Sussex Borough using electrical fixtures located on the theater building owned by The Crescent Theater; and

WHEREAS, in order to provide the electrical service, it is necessary and in the public interest to acquire an easement over and on property owned by The Crescent Theater A Nonprofit Corporation, designated as Block 702, Lot 2, Sussex Borough;

BE IT ORDAINED by the Governing Body of the Borough of Sussex in the County of Sussex, as follows:

Section 1: The Governing Body hereby authorizes the acquisition and acceptance of an easement for electrical service in and over a portion of Block 702, Lot 2, Sussex Borough.

Section 2: The Mayor and/or Administrator are hereby authorized to execute any and all documents necessary for the acquisition set forth in this ordinance.

Section 3: All ordinances and parts of ordinances inconsistent herewith are hereby repealed. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4: A certified copy of this ordinance shall be forwarded to The Crescent Theater A Nonprofit Corporation, owner of Block 702, Lot 2, Sussex Borough, New Jersey.

Section 5: This ordinance shall take effect immediately on its final passage and publication as required by law.

Attest:

Antoinette Smith, Borough Clerk

Robert Holowach, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance 2024-24 was introduced at a regular meeting of the Mayor and Council of the Borough of Sussex, Sussex County, New Jersey, held on October 15, 2024 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Mayor and Council to be held on November 7, 2024 at Borough Hall, 2 Main Street, in the Borough of Sussex at 7:00 p.m. or via the internet, connectivity information available at www.sussexboro.com and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Antoinette Smith, RMC