

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 09-2022

AN ORDINANCE AUTHORIZING THE BOROUGH OF ALLENTOWN TO OBTAIN FROM THE UNION AFRICAN METHODIST CHURCH OWNERSHIP OF AND THE DEED TO BLOCK 7, LOT 15, COMMONLY KNOWN AS THE UNION AME CHURCH CEMETERY AND/OR THE HAMILTON STREET CEMETERY, FOR PURPOSES OF INCORPORATING SAID HISTORIC PROPERTY INTO THE BOROUGH'S PLANNED IMPROVEMENTS TO SGT. GEORGE ASHBY MEMORIAL PARK.

WHEREAS, the Borough of Allentown, 8 N. Main Street, Allentown, NJ 08501 (hereinafter, the "Borough"), is a municipal corporation of the State of New Jersey and is authorized, pursuant to N.J.S.A. 40A:12-5, to acquire real property by Ordinance for public purposes; and

WHEREAS, the Union African Methodist Church (the "Owner") is the titled owner of Block 7, Lot 15 (the "Cemetery Property"), commonly known as the Union AME Church Cemetery and/or the Hamilton Street Cemetery, and which Cemetery Property contains the historic gravesite of Sgt. George Ashby, an African-American Civil War Veteran; and

WHEREAS, the Borough is the titled owner of Block 7, Lots 18 & 35, which properties are located adjacent to the Cemetery Property, and which properties have been previously dedicated by the Borough as a public park, known as the Sgt. George Ashby Memorial Park; and

WHEREAS, the Borough desires to incorporate the Cemetery Property, as well as the historic gravesite of Sgt. George Ashby, into planned improvements to its Sgt. George Ashby Memorial Park; and

WHEREAS, the Owner desires that the Borough take title to the Cemetery Property and incorporate same into the Borough's planned improvements to Sgt. George Ashby Memorial Park; and

WHEREAS, the Owner has agreed to transfer title to the Cemetery Property to the Borough, upon certain restrictive covenants set forth in the Deed attached hereto as Exhibit A;

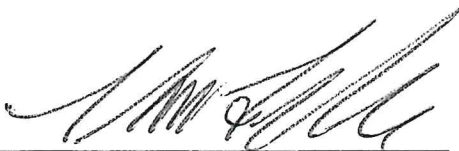
NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey, as follows:

1. That the Governing Body does hereby approve the Deed attached hereto as Exhibit A; and
2. That the Borough Attorney is hereby authorized to obtain the Owner's signature on said Deed and to record same on behalf of the Borough; and
3. That a certified copy of this Ordinance shall be forwarded to the Borough Administrator, Borough Engineer, and the Owner.

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance; and

BE IT FURTHER ORDAINED that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

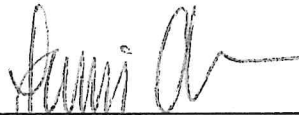
BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.



THOMAS C. FRITTS, Mayor

DATED: September 27, 2022

ATTEST:

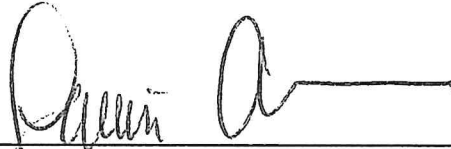


LAURIE A. ROTH, Administrator/Clerk

DATED: September 27, 2022

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 13^m day of September, 2022, at a meeting of the Mayor and Council of the Borough of Allentown and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Allentown to be held on the 27^m day of September, 2022 at the Municipal Building, 8 N. Main Street, Allentown, NJ.



LAURIE A. ROTH, MAS, RMC, CMR
Municipal Administrator/Clerk