

ORDINANCE 2012-35

AN ORDINANCE APPROPRIATING THE SUM OF \$350,000.00 FROM THAT CAPITAL ACCOUNT KNOWN AS COUNTRY CLASSICS EMERGENCY MEDICAL AGREEMENT AND AUTHORIZING ACCEPTING THE ASSIGNMENT OF A CONTRACT OF SALE OF REAL ESTATE FROM THE HILLSBOROUGH FIRST AID & RESCUE SQUAD, INC., FOR LOT 11.01 IN BLOCK 199 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, the Township of Hillsborough has a Capital Account titled “Country Classics Emergency Medical Agreement” (“Emergency Medical Services Capital Account”); and

WHEREAS, the Emergency Medical Services Capital Account was funded by Country Classics, Inc., for “emergency medical service purposes”; and

WHEREAS, the Emergency Medical Services Capital Account does not include funds from the taxpayers of the Township; and

WHEREAS, the Hillsborough First Aid & Rescue Squad, Inc. (“Rescue Squad”), has a need to expand its facility on Hamilton Road to provide enhanced emergency medical services to the Township residents in that section of the Township; and

WHEREAS, on October 24, 2005, the Rescue Squad and Barbara Lipani entered into a Contract for Sale of Real Estate (“Contract”) for that property adjoining the Rescue Squad facility on Hamilton Road, commonly known as 32 Hamilton Road and shown on the Tax Map as Lot 11.01, Block 199 (“Property”); and

WHEREAS, the contractual purchase price for the Property is \$300,000.00, with the Rescue Squad making a down payment of \$200,000.00; and

WHEREAS, the Rescue Squad desires to assign the Contract for the Property to the Township and the Township desires to accept that assignment so that the Township obtains fee simple title to the Property, and pays for that purchase and all associated expenses from the Emergency Medical Services Capital Account; and

WHEREAS, once the Township acquires the Property, the Township will lease the Property to the Rescue Squad for emergency medical service purposes; and

WHEREAS, in addition to the purchase price, there will be costs for legal services, survey, title search and policy, and Environment Assessments which are all to be paid from the Capital Account; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds exist in the Emergency Medical Services Capital Account for the purchase price and associated expenses.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

1. That \$350,000.00 for the purchase of the Property is hereby appropriated from the Emergency Medical Services Capital Account.
2. That the Mayor and Clerk are hereby authorized to sign an Assignment of Contract of Sale of Real Estate in a form acceptable to the Township Administrator and Attorney.
3. That the Mayor, Administrator, Clerk, Chief Financial Officer and Township Attorney are hereby authorized to take any and all steps necessary to close on the Property.
4. That the purchase price for the Property and associated expenses be paid from the Emergency Medical Services Capital Account.
5. That this Ordinance shall take effect upon final adoption and publication according to law.

ATTEST:

HILLSBOROUGH TOWNSHIP

Pamela Borek, Township Clerk

Carl Suraci, Mayor

Introduced: 11/27/12
Published: 12/6/12
Public Hearing: 12/18/12
Adopted: 12/18/12
Published: 1/3/13

ASSIGNMENT OF CONTRACT OF SALE OF REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS:

That, **HILLSBOROUGH FIRST AID & RESCUE SQUAD, INC.**, herein designated as the Assignor, for and in consideration of the sum of Two Hundred Thousand (\$200,000.00) Dollars, and other good and valuable consideration the receipt whereof is hereby acknowledged, does by these presents assign to the:

TOWNSHIP OF HILLSBOROUGH, herein designated as the Assignee, a certain Contract of Sale of Real Estate ("Contract"), dated October 24, 2005, for the real property known as Lot 11.01, Block 199 on the Tax Map of the Township of Hillsborough, in the County of Somerset, State of New Jersey ("Property").

TO HAVE AND TO HOLD the same unto the said Assignee forever, subject only to all the provisions contained in the Contract and this Assignment of Contract. Assignee agrees to assume all obligations of the Assignor under the Contract.

The Assignor hereby agrees, as part of the consideration for this Assignment of Contract for Sale of Real Estate, to place Fifty Thousand (\$50,000.00) Dollars from the consideration paid by Assignee into a special account to be used solely by the Assignor for expenses associated with the construction of an expansion to the existing station adjacent to the Property or a new station on the Property.

The Assignor will provide the Assignee with proof that this special account has been opened and funded within ten (10) days after the closing on the Property.

In all references herein to any parties, persons, entities or corporations the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the test of the within instrument may require.

IN WITNESS WHEREOF, the said Assignor has hereunto set his hand and seal this ____ day of 2012.

SIGNED, SEALED AND DELIVERED

in the Presence of or Attested
by:

Assignor:
Hillsborough First Aid &
Rescue Squad, Inc.

Assignee:
Township of Hillsborough

Pamela Borek, Township Clerk

Carl Suraci, Mayor