

Initiative and Referendum Petition

The People of Vineland Seeking to Develop Block 4501, Lot 25

We the undersigned, registered voters of the Vineland City, Cumberland County, New Jersey, under the initiative and referendum power granted by N.J.S.A. 40:69A-184 et. seq., hereby propose the following:

1. This Act shall be known and cited as the "The People of Vineland Seeking to Develop *Block 4501, Lot 25.*"
2. On November 17, 2014, Atlantic County Superior Court Assignment Judge Julio L. Mendez ruled that the Casino Reinvestment Development Authority (CRDA) may use its eminent domain powers to force Charles and Lucinda Birnbaum to sell their building despite the CRDA's failure to prove that it needs the property or has a specific plan for it. Although Judge Mendez "empathizes with the Birnbaum's desire to keep this family owned property" he ruled that the Atlantic City Tourism District Act "passes both federal and state constitutional muster, and justifies the actions of the CRDA in taking the Birnbaum property." Accordingly, it is hereby ordained.
 - A. While the people of Vineland empathize with Judge Mendez and his wife's desire to keep their property located at 3429 E. Landis Avenue Vineland (Block 4501, Lot 25), we nevertheless have decided to take that property through the power of eminent domain, in accordance with Judge Mendez's ruling and applicable state law, even though the City really doesn't need it and even though we really don't have a well thought out plan on what to do with it.
 - B. The Mayor and City Council shall, within sixty days after the effective date of this ordinance, establish the fair market value of the property and offer to purchase the property at that amount from the current owner. If the offer is not accepted within 14 days, the City of Vineland shall instruct legal counsel do all things necessary to execute a taking of the property through eminent domain.
 - C. After the taking is consummated, the City Council shall appoint a committee to decide what should be done with the property. Among other uses, the committee shall consider building a restaurant upon the land bearing the name "Just Desserts".
3. This Act shall take effect on the sixtieth day after enactment and shall be published as required by law.
4. If any portion of this Act shall be declared to be unconstitutional, invalid, inoperative or not the proper subject of a citizen initiative petition by a court of competent jurisdiction, this Act, to the extent that it is not unconstitutional, invalid, inoperative, or not the proper subject of a citizen initiative petition shall remain in full force and effect.
5. All ordinances inconsistent with the provisions of this Act are repealed to the extent of such inconsistency.

The following citizens constitute the Committee of Petitioners (N.J.S.A. 40:69A-186)

John Doe1, 296 Any St, Vineland, NJ
 John Doe2, 297 Any St, Vineland, NJ
 John Doe3, 298 Any St, Vineland, NJ
 John Doe4, 299 Any St, Vineland, NJ
 John Doe5, 300 Any St, Vineland, NJ

1. Sign: _____ **Print Name:** _____

Residence: _____ **Vineland, NJ**

2. Sign: _____ **Print Name:** _____

Residence: _____ **Vineland, NJ**

Petition: *The People of Vineland Seeking to Develop Block 4501, Lot 25*

3. Sign: _____ **Print Name:** _____

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24. Sign: _____ Print Name: _____

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32. Sign: _____ Print Name: _____

Residence: _____ Vineland, NJ

33. Sign: _____ Print Name: _____

Residence: _____ Vineland, NJ

Affidavit of Circulator (N.J.S.A. 40:69A-186)

_____ certifies that 1) s/he and only s/he personally circulated the foregoing paper; 2) that all the signatures appended thereto were made in his or her presence; and 3) that s/he believes them to be the genuine signatures of the persons whose names they purport to be.

Sworn & Subscribed before me this

Circulator's Signature

_____ day of _____, 20_____

Notary Public