

ORDINANCE NO. 2009-30

ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CONVEYANCE FOR NO CONSIDERATION OF CERTAIN REAL PROPERTY KNOWN AS A PORTION OF BLOCK 93, LOT 3, BARNEGAT TOWNSHIP, TO THE COUNTY OF OCEAN

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has been contacted by representatives of the County of Ocean (the "County") concerning the potential of conveyance for no consideration to the County a portion of property known and designated as Block 93, Lot 3, on the Tax Maps of Township of Barnegat (the "Property"); and

WHEREAS, the Township hereby has determined that the Property in question, a true of copy of which is referenced on the attached description prepared by the County's Engineer dated June 12, 2008 and can be viewed during normal business hours at the office of the Township Clerk, is not needed for municipal purposes and that same can be conveyed to the County for no consideration; and

WHEREAS, the Township believes that the conveyance of the Property to the County for no consideration is in the long term best interests of the Township, its citizens and taxpayers:

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

SECTION 1. Pursuant to the provisions of N.J.S.A. 40A:12-21, et seq., the Township of Barnegat hereby conveys to the County of Ocean a portion of Block 93, Lot 3, the real property which is referenced on the attached description as prepared by the County's Engineer, for no consideration.

SECTION 2. The Township finds that the conveyance of this Property is in the long term best interests of the Township and its citizens, and is needed by the County in order to provide better service to the citizens of Barnegat Township and its taxpayers.

SECTION 3. The Township authorizes and directs the Mayor, Township Clerk and Township Administrator to execute any and all necessary documents in order to implement the intent of this Ordinance.

SECTION 4. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 5. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. Effective Date. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of Barnegat on first reading at meeting held on the 8th day of September, 2009 at 6:30 p.m. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 21st day of September, 2009, at 6:30 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

Kathleen T. West, RMC, CMC
Municipal Clerk

Prepared by:
DASTI, MURPHY, McGUICKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731