

RESOLUTION 2013-188

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, SUPPORTING ASSEMBLY BILL 3896 AND SENATE BILL 2618 SUPPLEMENTING EMINENT DOMAIN ACT AS IT PERTAINS TO DUNE CONSTRUCTION AND BEACH REPLENISHMENT

WHEREAS, The Federal Shore Protection Project protects public and private property from coastal storm damage, erosion, shoreline migration and sea-level rise, which recently has been proven by Super storm Sandy in those municipalities that have had the project; and

WHEREAS, as a condition of Federal and State funding for said project, municipalities are required to provide access to the beaches within the project footprints, which are located on portions of public as well as private property, by the execution of a deed of easement; and

WHEREAS, in some cases municipalities must obtain said easements through the eminent domain process; and

WHEREAS, the taking of an easement by eminent domain has little effect on the use of the private property by the owner; and

WHEREAS, due consideration of the increased individual property protection must be allowed during eminent domain trials; and

WHEREAS, legislation was introduced to supplement the eminent domain act to provide that just compensation for an easement over a portion of beachfront property condemned for the purpose of dune construction or beach replenishment must include consideration of the increase in value to the entire property due to the added safety and property protection provided by the dune or replenished beach.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Barnegat, County of Ocean, State of New Jersey strongly supports Bills A3896/S2618 and strongly agrees that the result of an easement for dune construction or beach replenishment should not be considered to cause a diminution in the value of an entire property.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be sent to the following; Governor Chris Christie, 1st, 2nd, 9th, 10th, 11th, 13th and 30th Legislative Districts, New Jersey State League of Municipalities, and all Ocean County Mayors.

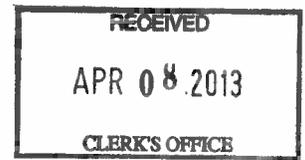
CERTIFICATION

I, Sharon L. Auer, Acting Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held on the 15th day of April 2013, in the Municipal Courtroom, 900 W. Bay Avenue, Barnegat NJ 08005



Sharon L. Auer
Acting Municipal Clerk

RESOLUTION #2013-046



**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPORTING ASSEMBLY BILL 3896 AND SENATE BILL 2618
SUPPLEMENTING THE EMINENT DOMAIN ACT AS IT PERTAINS TO DUNE
CONSTRUCTION AND BEACH REPLENISHMENT**

WHEREAS the Federal Shore Protection Project protects public and private property from coastal storm damage, erosion, shoreline migration and sea-level rise, which recently has been proven by Superstorm Sandy in those municipalities that have had the project; and

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BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to:

- a. Governor Christopher Christie
- b. 1st, 2nd, 9th, 10th, 11th, 13th, and 30th Legislative Districts
- c. New Jersey State League of Municipalities
- d. Ocean County Municipalities

PASSED ON: March 19, 2013

CERTIFICATION

I, Daina Dale, Municipal Clerk of the Borough of Harvey Cedars, County of Ocean, hereby certify that the above is a resolution adopted by the Board of Commissioners at a meeting held on March 19, 2013.

Daina Dale, Municipal Clerk

RESOLUTION #2013-046

**RESOLUTION OF THE BOROUGH OF HARVEY CEDARS,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPORTING ASSEMBLY BILL 3896 AND SENATE BILL 2618
SUPPLEMENTING THE EMINENT DOMAIN ACT AS IT PERTAINS TO DUNE
CONSTRUCTION AND BEACH REPLENISHMENT**

RECEIVED

APR 08 2013

CLERK'S OFFICE

cc: TC
DB

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Daina Dale, Municipal Clerk

