

ORDINANCE 2016-25

ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING ACQUISITION FOR NO CONSIDERATION OF VACANT PROPERTY KNOWN AND DESIGNATED AS BLOCK 237, LOT 6 WITHIN THE TOWNSHIP OF BARNEGAT

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has been contacted by representatives of the owner of Block 237, Lot 6, Barnegat Township, New Jersey a/k/a 91 Bayview Boulevard (hereinafter referred to as the “property”); and

WHEREAS, Berry College, Inc. is the owner of real property known as Block 237, Lot 6, which is vacant land in the Township of Barnegat; and

WHEREAS, the representatives of the property owner have requested that the Township consider accepting the property for no consideration, free and clear of any liens or encumbrances; and

WHEREAS, it appears that the property is not buildable because of environmental issues, and the fact that there are no sanitary sewer or city water services that can be provided to this property, which is located at the northeast corner of the intersection of Bayview Boulevard and Starling Street (which is an unimproved paper street); and

WHEREAS, the Township believes that acquiring the property for no consideration would assist in adding to its open space inventory; and

WHEREAS, the Township believes that acquiring this property is in the long-term best interests of the Township, its residents and the taxpayers of the Township.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

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. For no consideration to be paid to the property owner, the Township authorizes acquisition of the aforementioned vacant property. The Deed and Affidavit of Title to be executed by the seller's shall be prepared by the Township Solicitor.

SECTION 2. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purpose of this ordinance.

SECTION 3. No debt is authorized by the enactment and passage of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **September 6, 2016 at 6:30 p.m.**, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **October 4, 2016, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.



MICHELE RIVERS, RMC, Township Clerk

CERTIFICATION

I, Michele Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean State of New Jersey do hereby certify that the foregoing Ordinance was duly adopted on second reading by the Barnegat Township Committee at their meeting held on the 4th day of October, 2016.



Michele Rivers, RMC
Township Clerk

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**
Forked River, New Jersey 08731

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