

ORDINANCE 2017- 19

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF A UTILITY EASEMENT AFFECTING BLOCK 92.24, LOTS 12 AND 13, PHASE 9 OF OCEAN ACRES, BARNEGAT TOWNSHIP, NEW JERSEY

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has received a proposed Utility Easement affecting Block 92.24, Lots 12 and 13 in Phase 9 of Ocean Acres, Barnegat Township, New Jersey (hereinafter referred to as the “property”); and

WHEREAS, the Utility Easement affecting the property is needed by the Township in order that the Township will be able to install utility lines, poles and facilities when necessary to service these properties and the surrounding neighborhood; and

WHEREAS, the proposed Utility Easement has been reviewed and found to be acceptable by the Township Solicitor and the Township Engineer; and

WHEREAS, Pursuant to the provisions of N.J.S.A. 40A:12-13 et seq., this Ordinance must be adopted so that the Township can acquire the Utility Easement across the property which is owned by Mark Madison, LLC.

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. The Township accepts the Utility Easement affecting the subject property, a true copy of which is on file with the Office of the Township Clerk and can be reviewed by the public during normal business hours.

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

COUNSELLORS AT LAW

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

SECTION 2. The Township consents to the execution of the Easement Agreement and the filing of the Easement Agreement in the Ocean County Court House, all at the expense of the property owner, Mark Madison, LLC.

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 Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. 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 on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **July 11, 2017 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. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **August 1, 2017, 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

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CERTIFICATION

Ordinance 2017-19

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance was introduced and passed on first reading at a meeting held on the 11th day of July, 2017, and finally adopted by the Township Committee after public hearing at their regular meeting held on the 1st day of August, 2017 at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Michele A. Rivers, RMC
Municipal Clerk

Prepared by:

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

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