

ORDINANCE NO. 2023-26

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN AND STATE OF NEW JERSEY,
DONATING SEVERAL DEED-RESTRICTED CONSERVATION
LOTS TO THE COUNTY OF OCEAN FOR ENLARGEMENT OF
EXISTING PROPERTIES RESERVED FOR OPEN SPACE,
PASSIVE RECREATION AND CONSERVATION PURPOSES**

WHEREAS, the Township is the owner of certain conservation properties within the Township by way of a deed of dedication pursuant to a Settlement Agreement with Walters Development, LLC and Mark Madison, LLC under litigation captioned Township of Barnegat v. Walters Development Company, LLC et al., Docket No. OCN-L-2173-16;

WHEREAS, the County of Ocean owns open space properties, including the Cloverdale Farm County Park, adjacent to the properties identified on the attached schedule (“intended parcels”);

WHEREAS, the Township and the County of Ocean have reviewed the intended parcels;

WHEREAS, the Township wishes to donate the intended parcels to the County of Ocean to create more contiguous open space property, pursuant to N.J.S.A. 40A:12-13; and

WHEREAS, the Mayor and Township Committee intend to dedicate the intended properties to the County of Ocean to be held for open space, passive recreation and conservation purposes.

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

SECTION 1. The Mayor and Township Committee intend to dedicate the intended properties identified in Schedule “A” to the County of Ocean to be held for open space, passive recreation and conservation purposes.

SECTION 2. The Mayor, Township Administrator and Township Clerk are hereby authorized to execute any and all necessary documents in order to implement the intent of this Ordinance.

SECTION 3. The Municipal Clerk shall be directed to transmit a copy of this Ordinance to the County of Ocean.

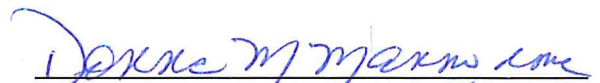
SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6. This Ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the **6th day of July, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **1st day of August, 2023, at 10:00 AM** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


Donna M. Manno, RMC
Municipal Clerk

CERTIFICATION

I, Donna M. Manno, 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 namely **Ordinance 2023-25** Repealing Chapter 44-20 and 44-21 of the Township Code, was introduced and passed at a meeting of the Township Committee on the **6th day of July, 2023** and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the **1st day of August, 2023 at 10:00 AM.**


Donna M. Manno, RMC
Municipal Clerk

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08731

Block	Lot
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