

ORDINANCE # 24-59-OA<sup>B</sup>

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 791, LOTS  
37, 38, 39 & 40 ON THE MUNICIPAL TAX MAP TO BRECKENRIDGE  
PROPERTIES, LLC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.  
40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (\$24,800.00)

November 18, 2024

**WHEREAS**, the Township of Berkeley is the owner of Block 791, Lots 37, 38, 39 & 40, which is an undersized lot under the current ordinances of the municipality; and

**WHEREAS**, it is the desire of the Mayor and Township Council to sell said property; and

**WHEREAS**, the municipality has established \$24,800.00.00 as the fair market value for said property; and

**WHEREAS**, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

**WHEREAS**, the adjoining property owner, Breckenridge Properties, LLC, has agreed to purchase Block 791 Lot 37, 38, 39 & 40, from the Township of Berkeley for the sum of \$24,800.00; and

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.


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

**SECTION 1.** That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 791 Lot 37, 38, 39 & 40, to the adjoining property owner, Breckenridge Properties, LLC, said property being undersized, and the adjoining property owners agree to purchase said property for the fair market value of said property.

**SECTION 2.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property by Quitclaim Deed to Breckenridge Properties, LLC, for the sum of \$24,800.00. Breckenridge Properties, LLC shall be responsible for the payment of the municipality's costs in conveying said property. A requirement of the transfer of the property is that it be consolidated with the adjoining property owned by the purchasers.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

  
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John A Bacchione, Mayor

  
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Keith Buscio, Council President  
Angelo Guadagno, Council Vice President

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on November 18, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 16<sup>th</sup> day of December, 2024, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

  
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KAREN STALLINGS RMC  
Township Clerk, Township of Berkeley