



OCEAN COUNTY CLERK'S OFFICE
RECORDING DOCUMENT
COVER SHEET

SCOTT M. COLABELLA
OCEAN COUNTY CLERK
P.O. BOX 2191
TOMS RIVER, NJ 08754-2191
(732) 929-2110
www.oceancountyclerk.com



INSTR # 2023084489
OR BK 19533 PG 1798
RECORDED 11/09/2023 09:31:15 AM
SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY

OFFICIAL USE ONLY

DATE OF DOCUMENT: (Enter Date as follows:00/00/0000)

10/20/2023

TYPE OF DOCUMENT: (Select Doc Type from Drop-Down Box)

VACATIONS

OFFICIAL USE ONLY - REALTY TRANSFER FEE

FIRST PARTY NAME: (Enter Last Name, First Name)

Berkeley Township - Thirteenth Street and
Fourteenth Street

SECOND PARTY NAME: (Enter Last Name, First Name)

Berkeley Township

ALL ADDITIONAL PARTIES: (Enter Last Name, First Name)

RETURN NAME AND ADDRESS:

Karen Stallings
Berkeley Township Clerk
P.O. Box B
Bayville, NJ 08721

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY

BLOCK:

LOT:

MUNICIPALITY: (Select Municipality from Drop-Down Box)

CONSIDERATION:

MAILING ADDRESS OF GRANTEE: (Enter Street Address, Town, State, Zip Code)

Street
Address

Town

State

Zip

THE FOLLOWING SECTION IS FOR
ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES,
SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY

ORIGINAL BOOK:

ORIGINAL PAGE:

ac 14 13 chg 504 Berkeley

OCEAN COUNTY CLERK'S OFFICE RECORDING DOCUMENT COVER SHEET

Please do not detach this page from the original document as it
contains important recording information and is part of the permanent record.

ORDINANCE NO. 2023-31- OA **B**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF
THIRTEENTH STREET BETWEEN BLOCK 27 & 31 AND PORTIONS OF
FOURTEENTH STREET BETWEEN BLOCK 24 & 27, BLOCK 25 & 28 AND
BLOCK 26 & 29**

August 21, 2023

WHEREAS, there exists right-of-ways on Thirteenth Street Between Block 27 & 31 and Fourteenth Street Between Block 24 & 27, Block 25 & 28 and Block 26 & 29, on the Berkeley Township Tax Map, County of Ocean, State of New Jersey; and

WHEREAS, the Township Engineer has reviewed the request to vacate portions of Thirteenth Street Between Block 27 & 31 and Fourteenth Street Between Block 24 & 27, Block 25 & 28 and Block 26 & 29, described in Schedule A, provided by the property owner of adjacent property, Homes For All, and approves of same; and

WHEREAS, N.J.S.A. 40A:12-13(b)(4) authorizes the Berkeley Township Council to extinguish and vacate said portions of the street provided that said action is authorized by Ordinance.

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

SECTION 1. There is hereby vacated all of the right, title, and interest of the public for all public usages and purposes in and to those portions of Thirteenth Street Between Block 27 & 31 and Fourteenth Street Between Block 24 & 27, Block 25 & 28 and Block 26 & 29, as is set forth on Schedule A, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186, (C. 48:5A-1, *et seq.*), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

PDS Ref. No. 21014
July 20, 2023

Metes and Bounds Description
Proposed Right-of-Way Vacations
Located in Manitou Park, Phase IV
Township of Berkeley, Ocean County, NJ

TRACT I

All that certain lot, tract or parcel of land, situate and lying within the right-of-way of Fourteenth Street (33 foot R.O.W.) from its intersection with the northerly line of Third Avenue (40 foot R.O.W.) to its intersection with the southerly line of Fifth Avenue (60 foot R.O.W.), and being more particularly bounded and described as follows:

Beginning at a point being the intersection of the northerly line of Third Avenue (40.00' wide R.O.W., Unimproved – Paper Street), at its intersection with the easterly line of Fourteenth Street (33.00' wide R.O.W., Unimproved – Paper Street) and from said Beginning Point running; thence

1. Along the northerly line of Third Avenue (40.00' wide R.O.W.), North 65 degrees, 00 minutes, 00 seconds West, 33.00' to a point in the westerly line of Fourteenth Street (33.00' wide R.O.W.); thence
2. Along said westerly line of Fourteenth Street (33.00' wide R.O.W.), North 25 degrees, 00 minutes, 00 seconds East, 108.04' to a point in the southerly line of Fifth Avenue, (60 foot R.O.W.); thence
3. Along same, South 70 degrees, 55 minutes, 30 seconds East, 33.18' to a point in the easterly line of Fourteenth Street (33.00' wide R.O.W.); thence
4. Along said easterly line of Fourteenth Street (33.00' wide R.O.W.), South 25 degrees, 00 minutes, 00 seconds West, 111.47' to the northeast corner of Third Avenue and Fourteenth Street, said point being the Point and Place of Beginning.

Containing 3,699 square feet (0.0620Acres)

TRACT II

All that certain lot, tract or parcel of land, situate and lying within the right-of-way of Fourteenth Street (33 foot R.O.W.) from its intersection with the northerly line of Second Avenue (40 foot R.O.W.) to its intersection with the southerly line of Third Avenue (40 foot R.O.W.), and being more particularly bounded and described as follows:

Beginning at a point being the intersection of the northerly line of Second Avenue (40.00' wide R.O.W., Unimproved – Paper Street), at its intersection with the easterly line of Fourteenth Street (33.00' wide R.O.W., Unimproved – Paper Street) and from said Beginning Point running; thence

1. Along the northerly line of Second Avenue (40.00' wide R.O.W.), North 65 degrees, 00 minutes, 00 seconds West, 33.00' to a point in the westerly line of Fourteenth Street (33.00' wide R.O.W.); thence

2. Along said westerly line of Fourteenth Street (33.00' wide R.O.W.), North 25 degrees, 00 minutes, 00 seconds East, 200.00' to a point in the southerly line of Third Avenue (40.00' wide R.O.W.); thence
3. Along the southerly line of Third Avenue (40.00' wide R.O.W.), South 65 degrees, 00 minutes, 00 seconds East, 33.00' to a point in the easterly line of Fourteenth Street (33.00' wide R.O.W.); thence
4. Along the easterly line of Fourteenth Street (33.00' wide R.O.W.), South 25 degrees, 00 minutes, 00 seconds West, 200.00' to the northeast corner of Second Avenue and Fourteenth Street, said point being the Point and Place of Beginning.

Containing 6,600 square feet (0.1515 Acres)

TRACT III

All that certain lot, tract or parcel of land, situate and lying within the right-of-way of Fourteenth Street (33 foot R.O.W.) from its intersection with the northerly line of First Avenue (40 foot R.O.W.) to its intersection with the southerly line of Second Avenue (60 foot R.O.W.), and being more particularly bounded and described as follows:

Beginning at a point being the intersection of the northerly line of First Avenue (40.00' wide R.O.W., Unimproved – Paper Street), at its intersection with the easterly line of Fourteenth Street (33.00' wide R.O.W., Unimproved – Paper Street) and from said Beginning Point running; thence

1. Along the northerly line of First Avenue (40.00' wide R.O.W.), North 65 degrees, 00 minutes, 00 seconds West, 26.86' to a point; thence
2. North 15 degrees, 34 minutes, 09 seconds West, 9.43' to a point in the westerly line of Fourteenth Street (33.00' wide R.O.W.); thence
3. Along the westerly line of Fourteenth Street (33.00' wide R.O.W.), North 25 degrees, 00 minutes, 00 seconds East, 192.83' to a point in the southerly line of Second Avenue (40.00' wide R.O.W.); thence
4. Along the southerly line of Second Avenue (40.00' wide R.O.W.), South 65 degrees, 00 minutes, 00 seconds East, 33.00' to a point in the easterly line of Fourteenth Street (33.00' wide R.O.W.); thence
5. Along the easterly line of Fourteenth Street (33.00' wide R.O.W.), South 25 degrees, 00 minutes, 00 seconds West, 200.00' to the northeast corner of First Avenue and Fourteenth Street, said point being the Point and Place of Beginning.

Containing 6,600 square feet (0.1515 Acres)

TRACT IV

All that certain lot, tract or parcel of land, situate and lying within the right-of-way of Thirteenth Street (33 foot R.O.W.) from its intersection with the northerly line of Third Avenue (40 foot R.O.W.) to its intersection with the southerly line of Fifth Avenue (60 foot R.O.W.), and being more particularly bounded and described as follows:

Beginning at a point being the intersection of the northerly line of Third Avenue (40.00' wide R.O.W., Unimproved – Paper Street), at its intersection with the easterly line of Thirteenth Street (33.00' wide R.O.W., Unimproved – Paper Street) and from said Beginning Point running; thence,

1. Along the northerly line of Third Avenue (40.00' wide R.O.W.), North 65 degrees, 00 minutes, 00 seconds West, 33.00' to a point in the westerly line of Thirteenth Street (33.00' wide R.O.W.); thence

2. Along the westerly line of Thirteenth Street (33.00' wide R.O.W.), North 25 degrees, 00 minutes, 00 seconds East, 142.60' to a point in the southerly line of Fifth Avenue, (60' wide R.O.W.); thence
3. Along same, South 70 degrees, 55 minutes, 30 seconds East, 33.18' to a point in the easterly line of Thirteenth Street (33.00' wide R.O.W.); thence,
4. Along the easterly line of Thirteenth Street (33.00' wide R.O.W.), South 25 degrees, 00 minutes, 00 seconds West, 146.02' to the northeast corner of Third Avenue and Thirteenth Street, said point being the Point and Place of Beginning.

Containing 4,845 square feet (0.1112 Acres)

This description has been prepared in accordance with a map entitled: Major Subdivision – Final Plat for “Homes For All” Manitou Park – Phase IV, Township of Berkeley, Ocean County, New Jersey”, prepared by Professional Design Services, L.L.C. dated 10/23/2018 and revised thru 4/8/2023.



Steven Metelski, Jr., P.L.S. 43393

**TOWNSHIP OF BERKELEY
APPLICATION FOR VACATION OF STREET**

Application Fee: \$ 500.00

1. Applicant's name, address, and telephone number:

Homes For All, Inc. 680 Hooper Avenue Ste 204B, Toms River, NJ 08753 -732-286-7929

2. Name, address, and telephone number of attorney representing applicant (if applicable) and/or the name, address, and telephone number of any other person to be contacted on behalf of the applicant:

William A. Stevens, P.E., P.P. - Professional Design Services, LLC - 732-363-0060

3. Name and a general description of the street, highway, right-of-way or other public place to be vacated:

14th Street - 33' R.O.W. 13th Street - 33' R.O.W

4. If applicant is a corporation, partnership, or other entity, the name and address of each person holding an interest of the percent (10%) or more in the ownership of such corporation, partnership, or other entity:

5. List of the lot and block numbers of all property adjoining the area to be vacated, together with a list of the names and addresses of the assessed owners of such adjoining properties:

6. Description of the current use of the area to be vacated:

Vacant Land

7. Description of the applicant's intended use of the area to be vacated:

Phase IV of Manitou Park - 51 single family homes

8. Description of any improvement on the area to be vacated including but not limited to paving, gravel, utilities or structures:

I certify that the information set forth or attached to this
application are true and accurate.

Signature of Applicant or Applicant's Representative

Date

NOTES:

- (1) Applicant must furnish with this application a reproduction of the tax map showing the area surrounding the area to be vacated, as well as all intersecting roads and adjoining parcels. The reproduction may be obtained from the Township Assessor's Office.
- (2) Applicant must also furnish with this application a signed consent form in the attached format from each of the property owners of property adjoining the area to be vacated.
- (3) Applicant agrees to pay all additional fees and expenses as stipulated in the Township's Street Vacation Ordinance.
- (4) Applicant must supply (at the time of application) proof of notification to the property owners within two hundred (200) feet of the area to be vacated.
- (5) Affidavit of publication from local newspaper must be submitted at the time of application.

THE PRESS OF ATLANTIC CITY

1000 W. Washington Ave, Pleasantville, NJ 08232

Account Number

8003702

Date

August 26, 2023

SEP 05 2023

BERKELEY TWP
PO BOX B
BAYVILLE, NJ 08721

Newspaper reference: 0000206963

Date	Category	Description	Ad Size	Total Cost
08/26/2023	Legal Notices	23-28 -OAB AN ORDINANCE OF THE TOWNSHIP OF BERK	2 x 54.00 CL	63.20

Certification Proof of Publication

Susan Allen of lawful age, acting in his/her capacity as a billing representative of The Press of Atlantic City, a daily newspaper printed and published c/o 1000 West Washington Avenue, Pleasantville, New Jersey 08232, and distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Ocean and mailed to various parts of the State of New Jersey, the United States, and foreign countries, does hereby certify that the Notice was published in The Press of Atlantic City on :

08/26/2023

All interested parties may rely upon the representations contained herein limited solely to the authenticity of the Notice accompanying this Certification to be an accurate reproduction of the same and the date upon which it was published.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 8/26/2023

Susan Allen

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

23-28 -OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-127.17 (HOME OCCUPATION) TITLES, AND ESTABLISHING THE METHOD OF SUCH COMPENSATION

Foregoing Ordinances were duly passed after Public Hearing held August 21, 2023 at a regular meeting of the Township of Berkeley and approved by the Mayor on 08/21/23.

23-29-0A

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1423, Lots 5, 7, 9-11 ON THE MUNICIPAL TAX MAP TO DAVID AND ASHLEY GORAL IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (SERPENTINE DRIVE; \$18,000.00)

23-30-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-3 (DEFINITIONS)

23-31-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF THIRTEENTH STREET BETWEEN BLOCK 27 & 31 AND PORTIONS OF FOURTEENTH STREET BETWEEN BLOCK 24 & 27, BLOCK 25 & 28 AND BLOCK 26 & 29

23-32-0A

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-110.6.a (Permitted Us)

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 August 21, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 18th day of September, 2023, 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.

Karen Stallings, RMC
Township Clerk, Township of Berkeley

Printer Fee: \$63.20
Pub Date: August 26, 2023

Order #: 0000206963

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Berkeley at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

SECTION 6. A copy of Schedule A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

SECTION 7. A condition of the vacation of the portion of Thirteenth Street Between Block 27 & 31 and Fourteenth Street Between Block 24 & 27, Block 25 & 28 and Block 26 & 29 is that this street must be consolidated with the property owned by Homes For All.



CARMEN F. AMATO, JR., Mayor



JOHN BACCHIONE, Council President
KEITH BUSCIO, 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 **August 21, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 18th day of September, **2023**, 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.



Karen Stallings, RMC
Township Clerk, Township of Berkeley

THE PRESS OF ATLANTIC CITY

1000 W. Washington Ave, Pleasantville, NJ 08232

Account Number

8003702

Date

September 23, 2023

OCT 05 2023

BERKELEY TWP
PO BOX B
BAYVILLE, NJ 08721

Newspaper reference: 0000207742

Date	Category	Description	Ad Size	Total Cost
09/23/2023	Legal Notices	23-29-OAB ORDINANCE OF THE TOWNSHIP OF BERKELEY	2 x 60.00 CL	68.00

Certification Proof of Publication

Susan Allen of lawful age, acting in his/her capacity as a billing representative of The Press of Atlantic City, a daily newspaper printed and published c/o 1000 West Washington Avenue, Pleasantville, New Jersey 08232, and distributed in the following counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Ocean and mailed to various parts of the State of New Jersey, the United States, and foreign countries, does hereby certify that the Notice was published in The Press of Atlantic City on :

09/23/2023

All interested parties may rely upon the representations contained herein limited solely to the authenticity of the Notice accompanying this Certification to be an accurate reproduction of the same and the date upon which it was published.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 9/23/2023

Susan Allen

23-29-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1423, Lots 5, 7, 9-11 ON THE MUNICIPAL TAX MAP TO DAVID AND ASHLEY GORAL IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (SERPENTINE DRIVE; \$18,000.00)

23-30-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-3 (DEFINITIONS)

23-31-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF THIRTEENTH STREET BETWEEN BLOCK 27 & 31 AND PORTIONS OF FOURTEENTH STREET BETWEEN BLOCK 24 & 27, BLOCK 25 & 28 AND BLOCK 26 & 29

23-32-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-110.6.a (Permitted Us)

Foregoing Ordinances were duly passed after Public Hearing held September 18, 2023 at a regular meeting of the Township of Berkeley and approved by the Mayor on 09/18/23.

23-33-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 1433, LOTS 16 & 17 ON THE MUNICIPAL TAX MAP TO BROOKSIDE POINT, LLC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (ROGERS STREET; \$10,800.00)

23-34-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 791, LOTS 30, 32, 34, 36, & 41 ON THE MUNICIPAL TAX MAP TO JEFFREY R. JERMAN IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (Egenoff Place \$24,400.00)

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 September 18, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 16th day of October, 2023, 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.

Karen Stallings, RMC
Township Clerk, Township of Berkeley

Printer Fee: \$68.00
Pub Date: September 23, 2023

Order #: 0000207742

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

