

ORDINANCE #23-07-OA<sup>9</sup>

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 802, LOTS  
45 & 46 ON THE MUNICIPAL TAX MAP TO WILLIAM LIETER AND  
DIANNA LIETER IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.  
40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (FEIGEL PLACE; \$7,600.00)**

January 23, 2023

**WHEREAS**, the Township of Berkeley is the owner of Block 802, Lots 45 & 46, which are undersized lots 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 \$7,600.00 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 owners, William Lieter and Dianna Lieter have agreed to purchase Block 802, Lots 45 & 46, from the Township of Berkeley for the sum of \$7,600.00; and

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

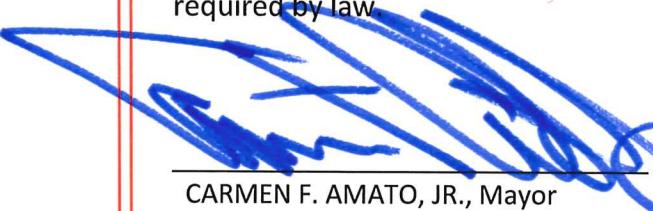
**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Township Council of the Township of Berkeley, County of Ocean, State of New Jersey, as follows:

**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 802, Lots 45 & 46, to the adjoining property owners, William Lieter and Dianna Lieter, 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 William Lieter and Dianna Lieter, for the sum of \$7,600.00. William Lieter and Dianna Lieter 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 purchaser.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

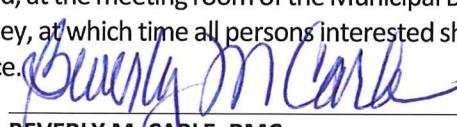
**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

CARMEN F. AMATO, JR., Mayor

  
John A. Bacchione  
JOHN A. 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 January 23, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27<sup>th</sup> day of February 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.

  
BEVERLY M. CARLE, RMIC  
Township Clerk, Township of Berkeley