

ORDINANCE #23-05-OA**b**

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 939, LOT
19.22, AND BLOCK 949.15, LOT 23.01, ON THE MUNICIPAL TAX MAP
TO HICKORY FARMS AND HICKORY MEADOWS HOMEOWNERS
ASSOCIATION IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.**

40A:12-13

January 23, 2023

WHEREAS, the Township of Berkeley is the owner of Block 939, Lot 19.22, and Block 949.15, Lot 23.01, which are undersized under the current ordinances of the municipality; and

WHEREAS, these properties are located within the common areas of the Hickory Farms and Hickory Meadows Homeowners Association ("Association"), requiring maintenance by the Association and it is the desire of the Mayor and Township Council to transfer said property to the Association; and

WHEREAS, the Association has agreed to assume ownership and responsibility for Block 939, Lot 19.22, and Block 949.15, Lot 23.01, from the Township of Berkeley for the sum of \$14,300.00; and

WHEREAS, N.J.S.A. 40A:12-13 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 transfer of Block 939 Lot 19.22, and Block 949.15, Lot 23.01, to the Association, 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 the Association.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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 27th 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
BEVERLY M. CARLE, RMC
Township Clerk, Township of Berkeley