

ORDINANCE #22-49-OA<sup>3</sup>

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 858, LOT  
34.18, BLOCK 858.21, LOT 29, BLOCK 858.18, LOT 25, BLOCK 858.19,  
LOT 25, BLOCK 858.20, LOT 33 AND BLOCK 858.21, LOTS 28 & 30 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**

November 21, 2022

**WHEREAS**, the Township of Berkeley is the owner of Block 858, Lot 34.18, Block 858.21, Lot 29, Block 858.18, Lot 25, Block 858.19, Lot 25, Block 858.20, Lot 33 and Block 858.21, Lots 28 & 30, 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 858, Lot 34.18, Block 858.21, Lot 29, Block 858.18, Lot 25, Block 858.19, Lot 25, Block 858.20, Lot 33 and Block 858.21, Lots 28 & 30, 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 858, Lot 34.18, Block 858.21, Lot 29, Block 858.18, Lot 25, Block 858.19, Lot 25, Block 858.20, Lot 33 and Block 858.21, Lots 28 & 30, 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**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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

*Sophia Gingrich*

SOPHIA GINGRICH, Council President  
JOHN BACCHIONE, 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 21, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19<sup>th</sup> day of December 2022, 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