

ORDINANCE NO. 2022-35-OA *β*

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A DETENTION BASIN EASEMENT ON A PORTION OF BLOCK 4.293, LOT 62 AND BLOCK 26, LOTS 984, 985, 986 & 987, IN ACCORDANCE WITH N.J.S.A. 40A:12-5

August 22, 2022

WHEREAS, Berkeley Township is the owner in fee simple of certain real property located in the Township of Berkeley, County of Ocean, New Jersey, designated as Block 4.293, Lot 62 and Block 26, Portion of Lots 984, 985, 986 & 987 on the official Tax Map of the Township of Berkeley; and

WHEREAS, a Storm Water Detention Basin Easement is needed for an area consisting of .59 acres on Block 4.293, Lot 62 and .08 acres on Block 26, Portion of Lots 984, 985, 986 & 987, which easement area totals .67 acres, as more fully described in Schedule A attached hereto and made a part hereof; and

WHEREAS, N.J.S.A. 40A:12-5 authorizes a municipality to impose an easement by the adoption of an ordinance.

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

SECTION 1. That the governing body does hereby authorize the imposition of a Storm Water Detention Basin Easement for an area consisting of .59 acres on Block 4.293, Lot 62 and .08 acres on Block 26, Portion of Lots 984, 985, 986 & 987, which easement area totals .67 acres, as more fully described in Schedule A attached hereto and made a part hereof.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the imposition of the easement on the subject property.

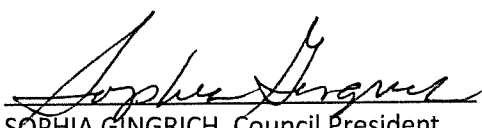
SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase of portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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



CARMEN F. AMATO, JR., Mayor



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 August 22, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 26th day of September 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, RMC
Township Clerk, Township of Berkeley