

ORDINANCE NO. 2022-24-OA<sup>3</sup>

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1183, LOT 4131, FROM THE BERKELEY TOWNSHIP SEWERAGE AUTHORITY, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)**

June 27, 2022

**WHEREAS**, in order to improve issues along the Bay View, Longport Avenue and Narragansette Avenue area in response to vehicular access issues, the Township of Berkeley is in need of a Vehicular Access Easement at Block 1183, Lot 4131; and

**WHEREAS**, The Berkeley Township Sewerage Authority has offered to convey to the Township of Berkeley a Vehicular Access Easement of .048 acres more or less, comprising a portion of Block 1183, Lot 4131, as more fully described in Schedule A attached hereto and made a part hereof to allow the Township to provide access to vehicles within the area during flooding events; and

**WHEREAS**, N.J.S.A. 40A:12-5(a)(1) authorizes a municipality to accept property by the adoption of an ordinance authorizing the acquisition of same.

**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 acquisition of a Vehicular Access Easement .048 acres more or less, comprising a portion of Block 1183, Lot 4131, as more fully described in Schedule A attached hereto and made a part hereof. This property is being acquired by the Township of Berkeley pursuant to N.J.S.A. 40A:12-5(a)(1) by purchase/donation from The Berkeley Township Sewerage Authority.

**SECTION 2.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from The Berkeley Township Sewerage Authority.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or 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 Gargu*  
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 June 27, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 25<sup>th</sup> day of July 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



REMINGTON  
& VERNICK  
**ENGINEERS**

RVE HQ:  
2059 Springdale Road  
Cherry Hill, NJ 08003  
O: (856) 795-9595  
F: (856) 795-1882

**Description for a  
Permanent 30' wide Driveway Access  
& Sanitary Sewer Easement  
on a Portion of  
Tax Map Lot 4142, Block 1183  
Township of Berkeley  
Ocean County, New Jersey**

All That Certain lot, tract or parcel of land and premises, situated, lying and being in the Township of Berkeley, County of Ocean, State of New Jersey, and being more particularly described as follows:

Beginning at a point, on the Southerly right-of-way line of East Longport Avenue (50' ROW), where it intersects with the property & municipal line between Lots 1 & 2, Block 83 (of the Borough of Ocean Gate) and Lot 4142, Block 1183 (of the Township of Berkeley). Running thence from said Beginning:

1. Eastwardly, along the said Southerly right-of-way line of East Longport Avenue, curving to the left, having a radius of 350.00 feet and a arc length of 30.04 feet, to a point in the Easterly line of the Permanent 30' wide Driveway Access & Sanitary Sewer Easement thence
2. S 02°06'36" W, 101.28 feet, which runs along the said Easterly line of the Permanent 30' wide Driveway Access & Sanitary Sewer Easement, to a point in the rear property line of Lot 4142, Block 1183; thence
3. N 87°53'24" W, 30.00 feet, which runs along the said rear property line of Lot 4142, Block 1183, to a point in the aforementioned property & municipal line between Lots 1 & 2, Block 83 (of the Borough of Ocean Gate) and Lot 4142, Block 1183 (of the Township of Berkeley); thence
4. N 02°06'36" E, 100.00 feet, that runs along the said property & municipal line between Lots 1 & 2, Block 83 (of the Borough of Ocean Gate) and Lot 4142, Block 1183 (of the Township of Berkeley); to the Point and Place of BEGINNING.

Containing within said bounds of land 3,015 square feet and/or 0.069 acres of land. (more or less)

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Being known and designated as a Permanent 30' wide Driveway Access Easement in a portion of Tax Map Lot 4142, Block 1183, Plate 80, shown on the current Tax Maps of the Township of Berkeley, Ocean County, New Jersey.

Subject to covenants, restrictions and easements of record, if any, except those that may have expired by their own limitations.

This description is based on a "Emergency Access Easement Plan", for a Portion of Block 4131, Lot 1183, prepared by Remington Engineers, Haddonfield, New Jersey, dated June 21, 2022.

6/21/22

Date



Charles E. Adamson, P.L.S., A.E.T.  
NJPLS License #42627

