

ORDINANCE NO. 2022-25-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 4141, FROM DOMENICO P. LETTINI, 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 4141; and

**WHEREAS**, Domenico P. Lettini has offered to convey to the Township of Berkeley a Vehicular Access Easement of .069 acres more or less, comprising a portion of Block 1183, Lot 4141, 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:

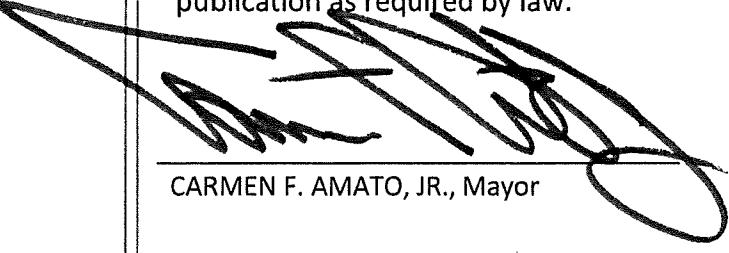
**SECTION 1.** That the governing body does hereby authorize the acquisition of a Vehicular Access Easement .069 acres more or less, comprising a portion of Block 1183, Lot 4141, as more fully described in Schedule A attached hereto and made a part hereof. This property is being acquired by the Township of Berkeley pursuant to N.J.S.A. 40A:12-5(a)(1) by purchase/donation from Domenico P. Lettini.

**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 Domenico P. Lettini.

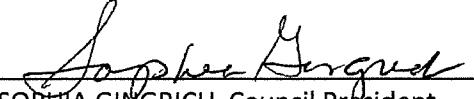
**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**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.



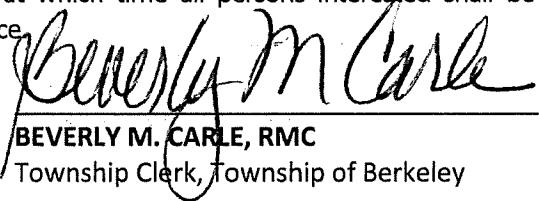
CARMEN F. AMATO, JR., Mayor



SOPHIA 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, RMC  
Township Clerk, Township of Berkeley



REMINGTON  
& VERNICK  
**ENGINEERS**

RVE HQ:  
2059 Springdale Road  
Cherry Hill, NJ 08003  
O: (856) 795-9595  
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**Description for a  
Permanent 21' wide Driveway Access Easement  
on a Portion of  
Tax Map Lot 4131, 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 Northerly right-of-way line of East Bay View Avenue (50' ROW), where it intersects with the property & municipal line between Lots 2 & 3, Block 83 (of the Borough of Ocean Gate) and Lot 4131, Block 1183 (of the Township of Berkeley). Running thence from said Beginning:

1. N 02°06'36" E, 100.00 feet, which runs along the said property & municipal line between Lots 2 & 3, Block 83 (of the Borough of Ocean Gate) and Lot 4131, Block 1183 (of the Township of Berkeley), to a point in the rear property line of Lot 4131, Block 1183, thence
2. S 87°53'24" E, 21.00 feet, which runs along the said rear property line of Lot 4131, Block 1183, to a point in the Easterly line of the Permanent 21' wide Driveway Access Easement; thence
3. S 02°06'36" W, 100.00 feet, which runs along the said Easterly line of the Permanent 21' wide Driveway Access Easement that runs through Lot 4131, Block 1183, to a point in the aforementioned Northerly right-of-way line of East Bay View Avenue; thence
4. N 87°53'24" W, 21.00 feet, that runs along the said Northerly right-of-way line of East Bay View Avenue, to the Point and Place of BEGINNING.

Containing within said bounds of land 2,150 square feet and/or 0.048 acres of land. (more or less)

Being known and designated as a Permanent 21' wide Driveway Access Easement in a portion of Tax Map Lot 4131, Block 1183, Plate 80, shown on the current Tax Maps of the Township of Berkeley, Ocean County, New Jersey.

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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

