

**ORDINANCE NO. 2022-20-OAB**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY  
OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE  
DONATION OF BLOCK 38, LOT 134 AND BLOCK 46, LOT 110  
TO HABITAT FOR HUMANITY IN ACCORDANCE WITH N.J.S.A.  
40A:12-21**

May 23, 2022

**WHEREAS**, the Township of Berkeley owns property designated as Block 38, Lot 134 and Block 46, Lot 110 in the Township; and

**WHEREAS**, Habitat for Humanity is a non profit housing organization, which provides housing to families in need; and

**WHEREAS**, Habitat for Humanity is looking to expand its efforts in the Manitou Park section of Berkeley Township; and

**WHEREAS**, Block 38, Lot 134 and Block 46, Lot 110 are in the Manitou Park section of Berkeley Township and the Township wishes to donate said property to Habitat for Humanity in connection with its mission of providing affordable housing; and

**WHEREAS**, N.J.S.A. 40A:12-21 authorizes a municipality to donate property to a duly incorporated nonprofit organization for the purpose of building or rehabilitating property.

**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 donation of Block 38, Lot 134 and Block 46, Lot 110 to Habitat for Humanity. This property is being donated by the Township of Berkeley pursuant to N.J.S.A. 40A:12-21 to Habitat for Humanity.

**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 Habitat for Humanity.

**SECTION 3.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the recording of a conservation easement on the subject property, once acquired, for the benefit of the State of New Jersey.

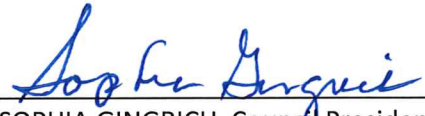
**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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 6.** 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 May 23, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27<sup>th</sup> day of May 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