

**ORDINANCE NO. 2021-05-OA<sup>B</sup>**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF BLOCK 45, LOT 1257; BLOCK 568, LOT 1; BLOCK 572, LOT 38; BLOCK 572, LOT 32; BLOCK 568, LOT 17; BLOCK 571, LOT 26; BLOCK 572, LOT 44; BLOCK 562, LOT 1; BLOCK 572, LOT 26; BLOCK 568, LOT 45; BLOCK 568, LOT 24; BLOCK 568, LOT 11; BLOCK 571, LOT 20; ; BLOCK 572, LOT 1; BLOCK 572, LOT 8; BLOCK 572, LOT 14; BLOCK 572, LOT 20; BLOCK 573, LOT 1; BLOCK 573, LOT 10; and BLOCK 573, LOT 18, FROM O.C.E.A.N., INC., IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)**

**February 23, 2021**

**WHEREAS**, O.C.E.A.N., INC. is the assessed owner of Block 45, Lot 1257; Block 568, Lot 1; Block 572, Lot 38; Block 572, Lot 32; Block 568, Lot 17; Block 571, Lot 26; Block 572, Lot 44; Block 562, Lot 1; Block 572, Lot 26; Block 568, Lot 45; Block 568, Lot 24; Block 568, Lot 11; Block 571, Lot 20; Block 572, Lot 1; Block 572, Lot 8; Block 572, Lot 14; Block 572, Lot 20; Block 573, Lot 1; Block 573, Lot 10; and Block 573, Lot 18; and

**WHEREAS**, O.C.E.A.N., INC. has offered to donate to the Township of Berkeley this property; 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 Block 45, Lot 1257; Block 568, Lot 1; Block 572, Lot 38; Block 572, Lot 32; Block 568, Lot 17; Block 571, Lot 26; Block 572, Lot 44; Block 562, Lot 1; Block 572, Lot 26; Block 568, Lot 45; Block 568, Lot 24; Block 568, Lot 11; Block 571, Lot 20; Block 572, Lot 1; Block 572, Lot 8; Block 572, Lot 14; Block 572, Lot 20; Block 573, Lot 1; Block 573, Lot 10; and Block 573, Lot 18. 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 O.C.E.A.N., INC.

**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 O.C.E.A.N., INC.


**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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



Angelo Guadagno, Council President  
James J. Byrnes, 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 **February 23, 2021**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22<sup>nd</sup>** day of **March 2021**, 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