

**ORDINANCE NO. 2020-24-OAB**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF BLOCK 1546, LOTS 4, 4.01 AND 7-25, FROM DAK CAPITAL, LLC, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1) (BUTLER BLVD.)**

June 22, 2020

**WHEREAS**, DAK Capital, LLC, has offered to convey to the Township of Berkeley its property located Block 1546, Lots 4, 4.01 and 7-25 on Butler Boulevard; 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 1546, Lots 4, 4.01 and 7-25. 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 DAK Capital, LLC.

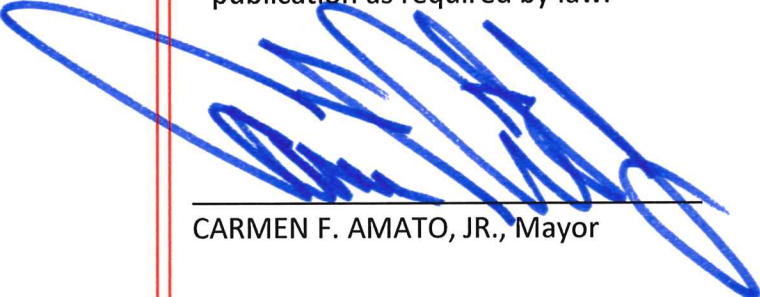
**SECTION 2.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from DAK Capital, LLC.

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

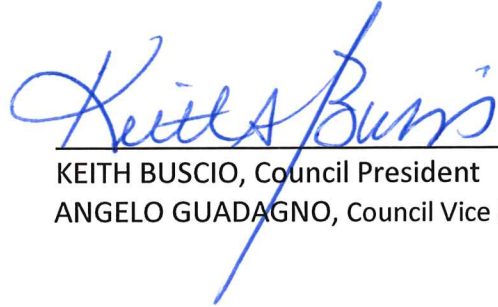
**SECTION 4.** If any section, subsection, sentence, clause, phrase of portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of

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.



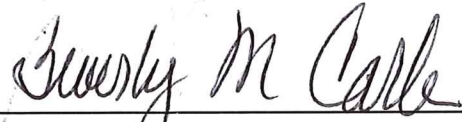
CARMEN F. AMATO, JR., Mayor



KEITH BUSCIO, Council President  
ANGELO GUADAGNO, 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 22, 2020** 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 **July, 2020** 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