

ORDINANCE NO. 2022-02-OA

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
RESCINDING ORDINANCE 2021-36-OA**

January 3, 2022

WHEREAS, pursuant to Ordinance No. 2021-36-OA, the Township authorized the sale of Township owned property, known as Block 994, Lot 16, to adjacent property owners; and

WHEREAS, the adjacent property owners no longer wish to purchase the property and the Township must rescind Ordinance No. 2021-36-OA.

BE IT ORDAINED by the Mayor and Township Council of the Township of Berkeley, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Ordinance No. 2021-36-OA, attached hereto as "Schedule A" is hereby rescinded in its entirety.

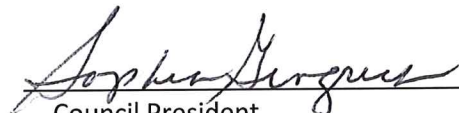
SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. 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



Stephen Gargano
Council 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 January 3, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 24th day of January, 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

ORDINANCE #21-36-OA

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 994, LOT 16
ON THE MUNICIPAL TAX MAP TO MICHAEL & MICHELLE DRIES IN
ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND
N.J.S.A. 40A:12-13.2 (NORWOOD DRIVE; \$7,600.00)**

October 25, 2021

WHEREAS, the Township of Berkeley is the owner of Block 994, Lot 16, which is an undersized lot under the current ordinances of the municipality; and

WHEREAS, it is the desire of the Mayor and Township Council to sell said property; and

WHEREAS, the municipality has established \$7,600.00 as the fair market value for said property; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

WHEREAS, the adjoining property owners, Michael & Michelle Dries, has agreed to purchase Block 994, Lot 16, from the Township of Berkeley for the sum of \$7,600.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

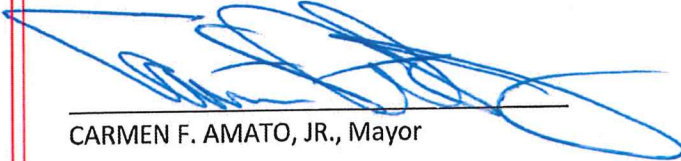
NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Berkeley, County of Ocean, State of New Jersey, as follows:

SECTION 1. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 994, Lot 16, to the adjoining property owners, Michael & Michelle Dries, said property being undersized, and the adjoining property owners agree to purchase said property for the fair market value of said property.


SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property by Quitclaim Deed to Michael & Michelle Dries, for the sum of \$7,600.00. Michael & Michelle Dries shall be responsible for the payment of the municipality's costs in conveying said property. A requirement of the transfer of the property is that it be consolidated with the adjoining property owned by the purchaser.

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

SECTION 4. 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 October 25, 2021 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of November, 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

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 , **2021**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the day of, **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