

ORDINANCE 2023-24

ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION BY DONATION OF BLOCK 262, LOT 16 ON THE TAX MAP OF THE TOWNSHIP OF LITTLE EGG HARBOR FROM FS PROPERTIES 152, LLC PURSUANT TO N.J.S.A. 40A:12-4

WHEREAS, FS Properties 152, LLC is the owner of property located at Block 262, Lot 16, on the Tax Map of the Township of Little Egg Harbor, and desires to donate said property to the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, any municipality, by ordinance, may provide for the acquisition of any real property by gift, subject to lawful conditions, restrictions or limitations as to its use by the municipality, provided the governing body accepts such lawful conditions, restrictions or limitations; and

WHEREAS, the Township has conducted due diligence as to the restrictions on the property; and

WHEREAS, a Phase 1 Environmental Site Assessment was conducted on behalf of the Township by the Township Engineer and said property has a conservation restriction on a significant portion of the property; and

WHEREAS, the Township desires to accept the donation from FS Properties 152, LLC of Block 262, Lot 16 on the Tax Map of the Township of Little Egg Harbor (Stage Road) with said restrictions.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:



98 East Water Street
Toms River, NJ 08753

o: 732.363.0777

f: 732.905.6555

SECTION 1. That the governing body accepts the donation of Block 262, Lot 16 (Stage Road) from FS Properties 152 LLC pursuant to N.J.S.A. 40A:12-5.

SECTION 2. That the governing body hereby further authorizes execution of a any and all documentation necessary to effectuate the transfer of title of Block 262, Lot 16 (Stage Road) to the Township from FS Properties 152 LLC.

SECTION 3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to any and all such documentation.

SECTION 4. That the Township Attorney is authorized to prepare any and all necessary documentation to effectuate the closing of title and transfer of ownership of Block 262, Lot 16 (Stage Road) to the Township.

SECTION 5. That a copy of this ordinance shall be forwarded to the Township Administrator, Township Attorney, and FS Properties 152, LLC.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. 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 8. This ordinance shall take effect after second reading and publication as required by law.

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

☎: 732.363.0777

☎: 732.905.6555

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the **8th** day of **June, 2023**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **13th** day of **July, 2023**, at 7:30 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, at such time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

KELLY LETTERA, RMC
Township Clerk
Township of Little Egg Harbor

BLAISE SCIBETTA , MAYOR

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

☎: 732.363.0777

☎: 732.905.6555