

ORDINANCE NO. 2026-19

ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERMANENT EASEMENT ON A PORTION OF BLOCK 329.01, LOT 6, ALSO KNOWN AS 539 RADIO ROAD, FROM JOSEPH C. MIDURE AND JANINE MIDURE, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)

WHEREAS, Joseph C. Midure and Janine Midure, Grantor, is the owner of Block 329.01, Lot 6 (the “Property”); and

WHEREAS, the Township (Grantee) desires a permanent easement upon the Property to construct, use, maintain and/or replace a public sidewalk and related infrastructure; and

WHEREAS, Township requires a permanent easement on Grantor’s Property to construct, use, maintain and/or replace a public sidewalk and related infrastructure; and

WHEREAS, said project is part of the Radio Road Pedestrian Safety Improvement Project; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) authorizes the Township to acquire an interest in real property by ordinance; and

WHEREAS, the Township of Little Egg Harbor desires to acquire a permanent easement along a portion of Block 329.01, Lot 6, also known as 539 Radio Road from Joseph C. Midure and Janine Midure for the purpose to construct, use, maintain and/or replace a public sidewalk and related infrastructure upon Grantor’s Property.

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:

r|m|s|h|c
Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

o: 732.363.0777
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SECTION 1. That in accordance with the provisions of N.J.S.A. 40A: 12-5(a)(1), the governing body does hereby authorize the acquisition of a Permanent Easement, attached hereto and made a part hereof as Schedule A, and is subject to approval of form by the Township Attorney and the Township Engineer.

SECTION 2. That the Mayor and Township Clerk are hereby authorized to execute any and all documents necessary for the acquisition of a Permanent Easement along a portion of Block 329.01, Lot 6, also known as 539 Radio Road, from Joseph C. Midure and Janine Midure.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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.

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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 **10th** day of **September, 2026**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the **8th** day of **October, 2026**, at **7:30 p.m.** at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

KELLY LETTERA, CMC, RMC

Township Clerk

Township of Little Egg Harbor

KENNETH LANEY, JR., MAYOR

r|m|s|h|c

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