

ORDINANCE #1077

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE VACATION AND FEE CONVEYANCE OF LEONARD AVENUE (STREET) IN THE BOROUGH OF OCEANPORT

WHEREAS, the Official Tax Map of the Borough of Oceanport (the "Borough"), which map is incorporated herein and made a part hereof as Exhibit A, identifies a 50 foot right-of-way width for Leonard Avenue (Street) in the Borough; and

WHEREAS, the Borough has received a request from the Fort Monmouth Economic Revitalization Authority (FMERA), a body corporate and politic of the State of New Jersey, to vacate and convey any public right and interest in Leonard Avenue (Street); and

WHEREAS, the Borough is authorized to vacate any public rights or interest in Leonard Avenue (Street) pursuant to N.J.S.A. 40:67-1 et seq.; and

WHEREAS, the Borough is authorized to convey any fee interest in Leonard Avenue (Street) to FMERA pursuant to N.J.S.A. 40A:12-13(b)(1); and

WHEREAS, the Mayor and Borough Council have determined that Leonard Avenue (Street) is no longer needed for public purposes and are of the opinion that it is in the best interests of the Borough and its citizenry to vacate and/or convey same; and

WHEREAS, FMERA owns all of the property located on both sides of Leonard Avenue (Street), more specifically identified as Block 105, Lots 1 and 2 and Block 109, Lot 1 on the Official Tax Map of the Borough.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Oceanport as follows:

Section 1. Any public right or interest in Leonard Avenue (Street) as depicted on the Official Tax Map of the Borough, which is incorporated herein and made a part hereof as Exhibit A, are hereby released, extinguished and vacated.

Section 2. Subject to the reservations set forth herein, the area hereby vacated, from the centerline of the vacated right-of-way, is conveyed to FMERA as the adjoining property owner of, and shall merge, consolidate with, and become a part of the adjoining properties identified as Block 105, Lots 1 and 2 and Block 109, Lot 1 on the Official Tax Map of the Borough.

Section 3. The vacation hereby enacted expressly reserves and excepts from vacation, all rights and privileges heretofore granted to all public utilities as defined by R.S. 48:2-13 and by any cable television company as defined in the "Cable Television Act". P.L. 1972 c. 186 (c.48:5A-1 et. seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the area to be vacated.

Section 4. Conveyance of any fee interest of the Borough in Leonard Avenue (Street) is hereby approved and the Borough Clerk and Mayor are hereby authorized and directed to execute a quit claim deed to convey any such interest in Leonard Avenue (Street) to FMERA.

Section 5. The Borough Clerk shall file a certified copy of this Ordinance in the Office of the Monmouth County Clerk in accordance with the provisions of N.J.S.A. 40:67-21.

Section 6. The quit claim deed shall be recorded in the Office of the Monmouth County Clerk.

Section 7. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Section 8. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 9. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

APPROVED ON FIRST READING

DATED: July 20, 2023

ADOPTED ON SECOND READING

DATED: August 17, 2023



JEANNE SMITH

Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS

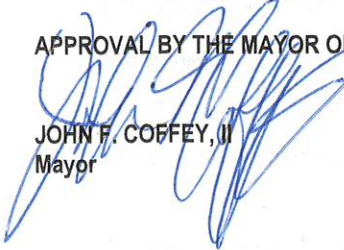
18th

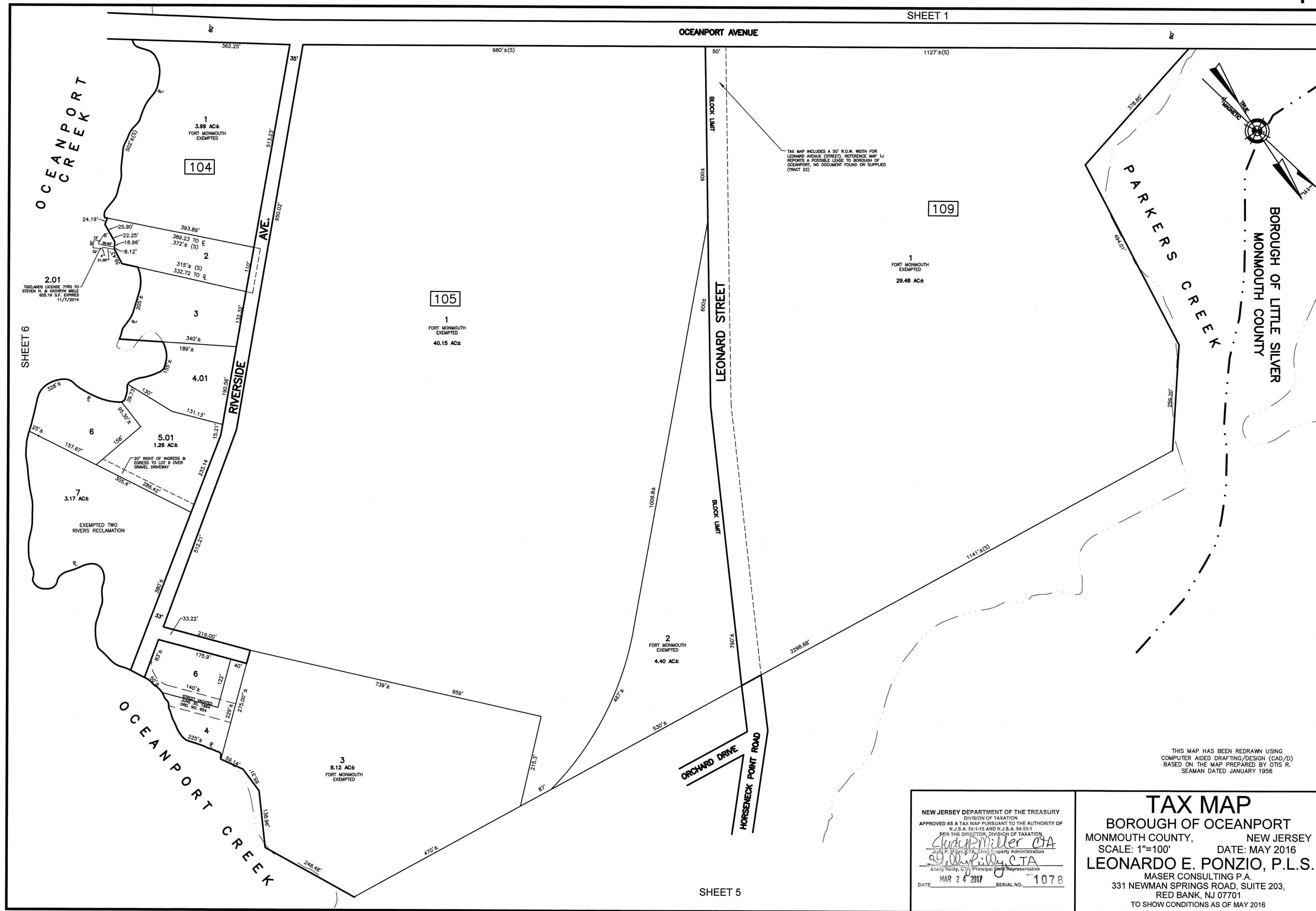
DAY OF

Aug 2023

JOHN F. COFFEY, II

Mayor





SHEET 1

OCEANPORT AVENUE

PARKERS CREEK

BOROUGH OF LITTLE SILVER
MONMOUTH COUNTY

THIS MAP HAS BEEN REDRAWN USING
COMPUTER AIDED DRAFTING/DESIGN (CAD/D)
BASED ON THE MAP PREPARED BY OTIS R.
SEAMAN DATED JANUARY 1956

NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
APPROVED AS A TAX MAP PURSUANT TO THE AUTHORITY OF
N.J.S.A. 54:1-15 AND N.J.S.A. 54:50-1
FOR THE DIRECTOR, DIVISION OF TAXATION
Shelly P. Miller, CTA
Shelly P. Miller, CTA, Chief Property Administration
Shelly P. Miller, CTA, Principal Representative
DATE MAR 24 2017 SERIAL NO. 1078

TAX MAP
BOROUGH OF OCEANPORT
MONMOUTH COUNTY, NEW JERSEY
SCALE: 1"=100' DATE: MAY 2016
LEONARDO E. PONZIO, P.L.S.
MASER CONSULTING P.A.
331 NEWMAN SPRINGS ROAD, SUITE 203,
RED BANK, NJ 07701
TO SHOW CONDITIONS AS OF MAY 2016

SHEET 5