ORDINANCE NO. 2023-12

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXCHANGE OF LANDS WITH THE COUNTY OF OCEAN IN ACCORDANCE WITH N.J.S.A. 40A:12-16

WHEREAS, the governing body of any county, by resolution, or any municipality, by ordinances may exchange any lands or any rights or interests therein owned by the county or municipality for other lands or rights or interests therein desired for public use, pursuant to N.J.S.A. 40A:12-16; and

WHEREAS, the Ocean County Board of Commissioners satisfied the requirements of N.J.S.A. 40A:12-13.5 and N.J.A.C. 7:36-25.5 for the exchange of property with Little Egg Harbor Township, and a public hearing was held on October 20, 2022 in Little Egg Harbor Township and a second public hearing was held on November 3, 2022 in Toms River Township, and no objections to the proposed exchange of lands were put forth by the public; and

WHEREAS, at a meeting held on October 21, 2021, the Ocean County Natural Lands Trust Fund Advisory Committee recommended to the Ocean County Board of Commissioners that the County exchange its property at Block 326, Lots 27, 27.01 & 62 and Block 326.33, Lot 46 in Little Egg Harbor Township for the following Township owned property:

Block	Lot
109	46,54,99
126	21,24,25,26
269	3, 9
326.201	63,64
326.203	2,3,4,5,6,7,8,9,10,11,12,13,14, 15,16,17,18,19,20,21,22

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WHEREAS, the properties to be exchanged between the Township and the County have equivalent assessed value; and,

WHEREAS, a public hearing on the proposed acquisition was conducted by the Ocean County Board of Commissioners on February 15, 2023, and the Board of Commissioners accepted the recommendation of the Ocean County Natural Lands Trust Fund Advisory Committee to exchange the properties noted herein; and

WHEREAS, the Township Committee, upon recommendation of the Township Natural Lands Trust Advisory Committee, desires to authorize the exchange of property with the County of Ocean as delineated herein.

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

SECTION 1. That the governing body of the Township of Little Egg Harbor accepts the recommendation of the Township Natural Lands Trust Advisory Committee and authorizes the exchange of Township properties located at:

Block	Lot
109	46,54,99
126	21,24,25,26
269	3, 9
326.201	63,64
326.203	2,3,4,5,6,7,8,9,10,11,12,13,14, 15,16,17,18,19,20,21,22

with the County of Ocean, for Block 326, Lots 27, 27.01 & 62 and Block 326.33, Lot 46 in Little Egg Harbor Township.

SECTION 2. That said properties to be exchanged with the County of Ocean are of equivalent value and shall remain Green Acres property in perpetuity.

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SECTION 3. That the Mayor is authorized to execute and the Township Clerk to attest to any and all documentation to effectuate the exchange of properties with the County.

SECTION 4. That the Township Engineer, Township Administrator and Township Attorney are authorized to take any and all action to effectuate the exchange and cooperate with the County of Ocean as to preparation, filing and recording of Deeds.

SECTION 5. Copies of this Ordinance shall be forwarded to the Township Administrator, the Township Engineer, the Township Natural Lands Advisory Committee, the Ocean County Administrator, Ocean County Counsel, Ocean County Natural Lands Trust Fund Advisory Committee, and the New Jersey Department of Environmental Protection.

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.

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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 **9th day of March, 2023**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the **13th** day of **April, 2023**, at **7:00 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, RMC
Township Clerk
Township of Little Egg Harbor

BLAISE SCIBETTA, MAYOR

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