

## **ORDINANCE O-24-03**

### **AN ORDINANCE OF HOWELL TOWNSHIP AUTHORIZING THE ACCEPTANCE BY THE TOWNSHIP OF A DONATION OF CERTAIN REAL PROPERTY DESIGNATED AS TAX BLOCK 35.82, LOT 41.03**

**WHEREAS**, Township of Howell (the "Township") has received an offer from a local business, Leemilt's Petroleum, Inc. ("Donor"), to donate a vacant portion of property located on Block 35.82, Lot 41.03 in the Township; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, Howell Township is permitted to acquire real property by gift or donations; and

**WHEREAS**, the Township is interested in acquiring this land donation as the property is approximately .63 acres and is located behind the AutoZone immediately adjacent to the Township owned municipal building; and

**WHEREAS**, the Mayor and Township Council have considered such offer and concluded that the acceptance of the donation of real property is in the public interest; and

**WHEREAS**, prior to accepting the donation, the Township conducted environmental due diligence on the property, including a Phase I Environmental Assessment and subsurface investigation; and

**WHEREAS**, the Township Engineer is satisfied with the results of the environmental due diligence and has recommended that the Township move forward with accepting the donation.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Howell, County of Monmouth, State of New Jersey as follows:

1. The Mayor and Council of the Township of Howell, in the County of Monmouth and State of New Jersey, hereby authorizes the Township to accept the real property located on Block 35.82, Lot 41.03 pursuant to N.J.S.A. 40A:12-5, to be used for public purposes.
2. The appropriate Township Officials, the Township Attorney, the Township Clerk and such other Township Officials and/or professionals are authorized and directed to execute any and all documents on behalf of the Township of Howell in regard to this matter.
3. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.
4. This Ordinance shall take effect immediately upon final passage and publication according to law.

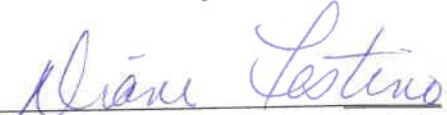
**NOTICE**

The Ordinance published herewith was introduced and passed on first reading by the Township Council of the Township of Howell on February 6, 2024 and will be further considered for final passage and adoption at the Township Municipal Building on 4567 Route 9 North, Howell, New Jersey on February 20, 2024 at 7:00 p.m. or as soon thereafter as the matter can be reached on the Agenda, at which time and place all persons interested therein shall be given an opportunity to be heard and during the week prior thereto, and up to, and including, the date of such meeting, copies of said Ordinance will be available at the Clerk's Office in the Township of Howell Municipal Building to the members of the general public who shall request same.

**Introduction:**

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>			X			
<i>Councilman Gasior</i>		X	X			
<i>Councilwoman O'Donnell</i>	X		X			
<i>Deputy Mayor Nadel</i>			X			
<i>Mayor Berger</i>			X			

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held February 6, 2024. WITNESS my hand this 7<sup>th</sup> day of February 2024.

  
 DIANE FESTINO, Municipal Clerk

**Adoption:**

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>			X			
<i>Councilman Gasior</i>	X		X			
<i>Councilwoman O'Donnell</i>		X	X			
<i>Deputy Mayor Nadel</i>			X			
<i>Mayor Berger</i>			X			

This is to certify that the foregoing Ordinance was adopted by the Township Council at a regular meeting of the Township of Howell held on February 20, 2024.

  
 DIANE FESTINO, Municipal Clerk

Explanatory Statement: Accepting a Donation of Certain Real Property Designated as  
Block 35.82, Lot 41.03