

**CITY OF LONG BRANCH  
COUNTY OF MONMOUTH**

**ORDINANCE NO. O-10-24**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 436.01, LOTS 29 AND 31 IN THE CITY OF LONG BRANCH FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

**SUMMARY**

The purpose of this ordinance is to authorize the purchase of Block 436.01, Lots 29 and 31 in the City of Long Branch from the New Jersey Department of Public Transportation and incorporate said properties into a pocket park located at Block 436.01 Lot 27 (In the Vicinity of Ocean Blvd and Atlantic Avenue)

**WHEREAS**, Block 436.01, Lots 29 and 31 (herein together referred to as the “Properties”) are currently owned by the New Jersey Department of Transportation (hereinafter referred to as “NJDOT”); and

**WHEREAS**, the City of Long Branch (hereinafter referred to as the “City”) is the current owner of adjoining property, Block 436.01, Lot 27; and

**WHEREAS**, the City submitted an Excess Land Request to the NJDOT Property Management Section to obtain ownership of the Properties and incorporate them as part of a pocket park; and

**WHEREAS**, NJDOT and the City have formulated the terms through which NJDOT shall convey the properties to the City for One Dollar (\$1.00), provided that the properties are specifically used for public purposes, with the understanding that any use of the properties other than for a public purpose shall result in the ownership of the Properties automatically reverting to the NJDOT; and

**WHEREAS**, municipalities are authorized to acquire real property as stated in N.J.S.A. 40A:12-3; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, the acquisition of real property by municipalities be accomplished through ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the City of Long Branch, County of Monmouth, State of New Jersey as follows:

**Section 1.** Pursuant to N.J.S.A. 40A:12-3 and in accordance with N.J.S.A. 40A:12-5, the governing body of the City of Long Branch hereby authorizes the purchase of the properties located at Block 436.01, Lots 29 and 31 in consideration for the sum of One Dollar (\$1.00). This purchase shall be made in accordance with the terms set forth in an Agreement of Sale and shall be specifically used for public purposes, with the understanding that any use of the properties other than for a public purpose shall result in the ownership of the Properties automatically reverting to the New Jersey Department of Transportation.

**Section 2.** The Mayor and City Clerk are hereby authorized and directed to execute and all such documents and undertake an and all such acts as necessary and prudent to effectuate to the terms of this Ordinance, including the execution of an Agreement of Sale with the New Jersey Department of Transportation pursuant to the terms hereof and as approved by the City Attorney to form and substance.

**Section 3.** 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 provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**Section 4.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect upon passage and publication as required by Law. Upon effective passage the Mayor is authorized to execute any required conveyance documents on behalf of the City.

**Introduced:** May 8, 2024

**Adopted:** May 22, 2024

**MOVED: Vieira**

**SECONDED: Widdis**

**AYES: 4**

**NAYS: 0**


**ABSENT: 1 (Celli)**

**ABSTAIN: 0**

Date: 5/24/2024

  
Amanda Caldwell

Date: 5/24/2024

  
John Pallone