

ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE LEASE OF BLOCK 536 LOT 104 LYING WITHIN THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-14, AND 12-15 ET. SEQ., TO THE LAKEWOOD ECONOMIC ACTION PROGRAM, INC. FOR NOMINAL CONSIDERATION

WHEREAS, The Township of Lakewood is the owner of real property known as Block 536, Lot 104 lying within the Township of Lakewood, County of Ocean and State of New Jersey located on Cedar Bridge Avenue, just West of the intersection with Clover Street, located in the R-40 Zone; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-14* and *12-15*, the Township Committee may, by ordinance, lease any real property, capital improvements or personal property not needed for public use to a private person for a public person; and

WHEREAS, The Lakewood Township Committee has determined that the property should be leased to the Lakewood Economic Action Program, Inc. of 170 North Oberlin Avenue, Lakewood, New Jersey 08701, a non-profit entity, engaged in the public purpose of providing Early Head Start/Head Start services as well as activities for the promotion of health, safety, morals and general welfare of the community; and

WHEREAS, this property is not needed for a specific public use inasmuch as same is presently vacant land and *N.J.S.A. 40A:12-14* permits the leasing to a non-profit corporation or association for a public purpose for a nominal consideration for public purposes such as the provision of Early Head Start/Head Start services and activities that promote health, safety, morals and general welfare of the community provided that the Ordinance includes the following information:

- a. Nominal Consideration \$1.00
- b. The name of the corporation or corporations who shall be the lessees:
Lakewood Economic Action Program, Inc.
- c. The public purpose served by the lessee: Lakewood Economic Action Program, Inc. (L.E.A.P., Inc.) is a non-profit charitable organization that provides Early Head Start / Head Start services that promote school readiness for children. L.E.A.P., Inc. provides developmentally appropriate educational experiences

that focus on building strong cognitive skills. It strives to strengthen families by fostering optimal health and growth and providing nutritional guidance while instilling positive approaches for mental health to pregnant women, infants, toddlers and preschool-aged children from income-eligible families in Lakewood.

- d. The number of persons benefiting from the public purpose served by lessee: All income-eligible citizens of the Township of Lakewood.
- e. Term of Lease: 5 years.
- f. Officer, employer agency responsible for enforcement of the conditions of the lease: Township Manager; and

WHEREAS, the L.E.A.P., Inc. shall, pursuant to this Ordinance, annually submit a report to the Lakewood Township Manager setting forth the use to which the leasehold is put during each year, the activities of the lessee undertaking improvements of the public purpose for which the leasehold was granted, the approximate value of cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to state and federal laws; and

WHEREAS, this lease shall benefit the residents of the Township of Lakewood by way of providing real property for use by L.E.A.P., Inc. for its aforementioned public purposes.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

SECTION 1. In accordance with N.J.S.A. 40A:12-14 and 12-15, the Township Committee does hereby authorize the lease of Property known as Block 536, Lot 104 lying within the Township of Lakewood, County of Ocean, State of New Jersey to the Lakewood Economic Action Program, Inc. for annual rental of \$1.00.

SECTION 2. The Mayor, or in his absence the Deputy Mayor, and Township Clerk are authorized to execute a lease and any and all other documents necessary to effectuate this transfer.

SECTION 3. The Township Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten days prior to the time fixed for further consideration for final passage.

SECTION 4. The township of Lakewood makes no representations with regard to the Property or title. This conveyance is made “as is.”

SECTION 5. A certified copy of the Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

SECTION 6. That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. This Ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the **8th day February, 2018**, and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 7:30 p.m. on **March 8, 2018**. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Kathryn Hutchinson, RMC, CMC, CMR
Township Clerk