

**ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF
OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE
RECISION OF ORDINANCE 2006-36 AND AUTHORIZING THE
RE-CONVEYANCE OF A PORTION OF BLOCK 1606, LOT 9
LYING WITHIN THE TOWNSHIP OF LAKEWOOD, COUNTY OF
OCEAN, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A.
40A:12-13, ET SEQ., TO THE LAKEWOOD TOWNSHIP
INDUSTRIAL COMMISSION FOR NOMINAL CONSIDERATION
(SWARTHMORE AVENUE)**

WHEREAS, the Township of Lakewood is the owner of an Improvement and Access Easement and Right of Way for a portion of real property known as Block 1606, Lot 9 lying within the Township of Lakewood, situate on Swarthmore Avenue in the Lakewood Industrial Park and containing approximately 4,500 square feet, in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); and

WHEREAS, said Improvement and Access Easement and Right of Way was created pursuant to Ordinance 2006-36, wherein the township accepted this proposed Improvement and Access Easement and Right of Way from the Lakewood Industrial Commission to create an area known as the Employment Service Area (a/k/a Muster Zone) for the reasons set forth therein; and

WHEREAS, said Improvement and Access Easement and Right of Way was recorded in the Ocean County Clerk's Office on August 22, 2006 at OR Book 13301 Page 1862 following adoption of said ordinance on April 27, 2006; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1), the Township Committee may, by ordinance, sell any real property, capital improvements or personal property not needed for public use at a private sale to any political subdivision, agency, department, commission board, or body corporate and politic; and

WHEREAS, the Lakewood Township Committee has determined that the Property should be transferred back to the Lakewood Industrial Commission for the more efficient management of the Property and facilities located thereon, inasmuch as the necessity for an Employment Service Area (a/k/a Muster Zone) at that location has been obviated by other location(s) within the township; and

WHEREAS, this property is not needed for public use by the township specifically, notwithstanding the fact that Lakewood Industrial Commission may be able to utilize same in its mission; and

WHEREAS, inasmuch as this transfer is from the municipality to a Commission of the Township of Lakewood, same should be made for a nominal consideration of one dollar (\$1.00); and

WHEREAS, this transfer shall benefit the residents of the Township of Lakewood through the more efficient management of the property:

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

SECTION 1. In accordance with N.J.S.A. 40A:12-13(b)(1), the Township Committee does hereby authorize the private sale and transfer of the Property known as a portion of Block 1606, Lot 9 lying within the Township of Lakewood, situate on Swarthmore Avenue in the Lakewood Industrial Park and containing approximately 4,500 square feet to the Lakewood Township Industrial Commission for the nominal sum of one dollar (\$1.00).

SECTION 2. The Mayor, or in his absence the Deputy Mayor, and Township Clerk are authorized to execute the deed 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 10 (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.

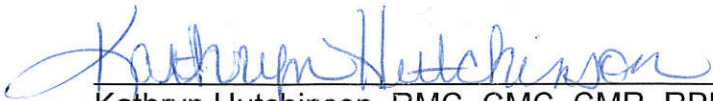
SECTION 6. That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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 **September 6, 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 **October 11, 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, RPPS
Township Clerk

CERTIFICATION

I, Kathryn Hutchinson, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on **October 11, 2018** at 7:30 P.M., at the Municipal Building, located at 231 Third Street, Lakewood, NJ 08701.



Kathryn Hutchinson, RMC, CMC, CMR, RPPS
Township Clerk