

TOWNSHIP OF ABERDEEN  
ORDINANCE NO. 1-2016

AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY RATIFYING, CONFIRMING AND RE-AUTHORIZING THE SALE OF THE REAL PROPERTY KNOWN AS BLOCK 122 LOTS 5-7, BLOCK 124 LOT 2, BLOCK 127 LOT 20, BLOCK 137 LOTS 9 AND 10, BLOCK 138 LOTS 5-9, BLOCK 142 LOT 4, BLOCK 144 LOTS 3-5, BLOCK 147 LOT 7, BLOCK 148 LOT 4 AND BLOCK 150 LOTS 1 AND 2 TOGETHER WITH THE VACATION OF PAPER STREETS IN ADJACENT PROPERTIES KNOWN AS "AWA PAPER STREETS" TO THE COUNTY OF MONMOUTH FOR OPEN SPACE AND RECREATION PURPOSES AS ADDITIONS TO FRENEAU WOODS PARK

WHEREAS, the Township of Aberdeen is the owner of the real property Block 122 Lots 5-7, Block 124 Lot 2, Block 127 Lot 20, Block 137 Lots 9 and 10, Block 138 Lots 5-9, Block 142 Lot 4, Block 144 Lots 3-5, Block 147 Lot 7, Block 148 Lot 4 and Block 150 Lots 1 and 2 together with the vacation of paper streets in adjacent properties known as "AWA Paper Streets"; and

WHEREAS, the Local Land and Buildings Law, N.J.S.A. 40A:12-13.4 authorizes the sale of Municipal property no longer needed for a municipal purpose to the County in which the Municipality is located by private sale for nominal consideration; and

WHEREAS, the Township of Aberdeen has agreed to convey Block 122 Lots 5-7, Block 124 Lot 2, Block 127 Lot 20, Block 137 Lots 9 and 10, Block 138 Lots 5-9, Block 142 Lot 4, Block 144 Lots 3-5, Block 147 Lot 7, Block 148 Lot 4 and Block 150 Lots 1 and 2 to the County of Monmouth for open space and recreation purposes for nominal consideration to be included in "Freneau Woods Park"; and

WHEREAS, due to a procedural error by the authorized newspaper of record for the Township, the notice and publication requirements of NJSA 40:49-2 were not complied with for Ordinance 17-2015 and therefore the Township Council desires to ratify, reconfirm and re-authorize the conveyance of these properties to the County of Monmouth for Open Space and Recreation purposes as additions to Freneau Woods Park.

NOW THEREFORE, BE IT HEREBY ORDAINED, by the Township Council of the Township of Aberdeen, County of Monmouth, and State of New Jersey as follows:

1. The Township of Aberdeen is hereby authorized to convey Block 122 Lots 5-7, Block 124 Lot 2, Block 127 Lot 20, Block 137 Lots 9 and 10, Block 138 Lots 5-9, Block 142 Lot 4, Block 144 Lots 3-5, Block 147 Lot 7, Block 148 Lot 4 and Block 150 Lots 1 and 2 together with the vacation of paper streets in adjacent properties known as "AWA Paper Streets"; to the County of Monmouth for recreation and open space purposes for nominal consideration to be included in "Freneau Woods Park"; and

2. The Mayor is hereby authorized to execute and the Municipal Clerk is hereby authorized to witness the agreement for the sale and purchase of real property in a form to be approved by the Township Attorney and any and all documents required to complete the conveyances of property authorized herein; and

3. The conveyance of the properties herein to the County of Monmouth for Open Space and Recreation purposes as additions to Freneau Woods Park is hereby ratified, reconfirmed and re-authorized on a "nunc pro tunc" basis to the original passage and publication date of Ordinance 17-2015 adopted on Dec. 1, 2015.

BE IT FURTHER ORDAINED, that 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 provisions to be adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PASSED:

ADOPTED:

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Karen Ventura  
MUNICIPAL CLERK

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Fred Tagliarini  
MAYOR