

Mayor O'Neil offered the following ordinance pass third and final reading and moved on its adoption:

O-07-26

AN ORDINANCE OF THE BOROUGH OF HIGHLANDS IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AUTHORIZING THE CONVEYANCE OF TAX BLOCK 8, LOTS 2 & 2.01 IN THE BOROUGH OF HIGHLANDS, AND AUTHORIZING THE ACCEPTANCE OF AND DEDICATION OF BLOCK 40, LOT 1.01 IN THE BOROUGH OF HIGHLANDS BY THE BOROUGH PURSUANT TO N.J.S.A. 40A:12- 1, ET SEQ. IN CONNECTION WITH THE ROUTE 36 HIGHLANDS BRIDGE CONSTRUCTION PROJECT, AND ALL AGREEMENTS BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF HIGHLANDS IN CONNECTION THEREWITH

WHEREAS, the State of New Jersey and the Borough of Highlands have entered into agreements to facilitate the construction of a new fixed span bridge on Route 36 connecting the Boroughs of Highlands and Sea Bright, which require, among other things, the use of Borough owned property known as Block 8, Lots 2 & 2.01; and

WHEREAS, said premises is encumbered by the NJ DEP Green Acres Program and is subject to a diversion application, which requires, among other things, the replacement of diverted land; and

WHEREAS, the State of New Jersey is the owner of Block 40, Lot 11.01 which is proposed as replacement land, in addition to other significant enhancements to Borough owned park land, as consideration for the conveyance of said land, in whole or part to the State of New Jersey in connection with the aforesaid project; and

WHEREAS, the Borough Council has considered the above and concluded that the dedication of Block 8 Lots 2 & 2.01 to the State of New Jersey, and acquisition of Block 40 Lot 11.01 by the Borough from the State in accordance with the above terms and conditions is in the public interest,

NOW, THEREFORE, BE IT ORDAINED by the Borough Committee of the Borough of Highlands in the County of Monmouth and State of New Jersey, as follows:

1. That the dedication of aforementioned Borough owned premises to the State of New Jersey be and hereby is authorized on behalf of the Borough pursuant to and in accordance with N.J.S.A. 40A:12-1, et seq. NJSA 27:12-4 et seq, inter alia.

2. That the acceptance of the dedication by the State to the Borough of Block 40 Lot 11.01 be and hereby is authorized.

3 That the Mayor and Borough Clerk be and hereby are authorized to execute, accept and record any and all documents necessary to effectuate the above in a form approved by the Borough Attorney, including but not limited to the deeds appended hereto as Exhibits 1,2 & 3.

4. That this Ordinance shall take effect after final and adoption and publication.

Seconded by Mr. Caizza and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Caizza, Mr. Urbanski, Mayor O'Neil

NAYES: Miss Thomas, Mr. Nolan

ABSENT: None

ABSTAIN: None

DATE: October 17, 2007

NINA LIGHT FLANNERY
Borough Clerk

Intro: September 27, 2007

Publish: October 4, 2007

P.H.: October 17, 2007

Adoption: October 17, 2007

Publication:

I hereby certify this to be a true copy of Ordinance O-07-26 adopted by the Governing Body of the Borough of Highlands on October 17, 2007.

BOROUGH CLERK/DEPUTY CLERK