

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE AND CONVEYANCE OF BLOCK 161, LOT 2 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 DEVELOPMENT CORPORATION FOR NOMINAL CONSIDERATION (20 Fourth Street).

WHEREAS, the Township of Lakewood is the owner of real property known as Block 161, Lot 2 lying within the Township of Lakewood, situate at 20 Fourth Street, commonly known as the Lakewood Community Center, in the Township of Lakewood, County of Ocean, State of New Jersey (collectively the "Property"); 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 to the Lakewood Development Corporation as part of a plan to provide efficient management of facilities located within the Township; and

WHEREAS, this property is not needed for public use as it is presently maintained, inasmuch as a new facility is required, and this property shall be utilized in restructuring facilities in the township in conjunction with the Lakewood Development Corporation and a land transaction it is entering with Bais Rivka Rochel, Inc., wherein the Lakewood Development Corporation and Bais Rivka Rochel, Inc. are contracting to exchange land, including this parcel and other properties, to be encumbered with perpetual deed declarations creating public parking facilities and Bais Rivka Rochel, Inc., shall construct an approximate 7,800 square foot new Lakewood Community Center at John Patrick Park in accordance with plans and specifications prepared by the Township, with the presently existing Lakewood Community Center continuing in operation until such time as the new facility has been constructed and appropriate Certificates of Occupancy been issued; and

WHEREAS, inasmuch as this transfer is from the municipality to an agency 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 and the township's facilities:

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 Block 161, Lot 2 lying within the Township of Lakewood, situate at 20 Fourth Street, commonly known as the Lakewood Recreation Center, in the Township of Lakewood, County of Ocean, State of New Jersey to the Lakewood Development Corporation 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 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 **16th day March, 2017**, 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 **April 6, 2017**. 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
Township Clerk