

**CITY OF ABSECON**

**ORDINANCE 05-2018**

**AN ORDINANCE AUTHORIZING A DEED OF ROADWAY DEDICATION FOR REAL PROPERTY (BLOCK 85, LOT 21) ALONG OAKS LANE IN THE CITY OF ABSECON**

**WHEREAS**, the City of Absecon (the “City”) is the owner of real property identified as Block 85, Lot 21 on the official tax map of the City of Absecon (the “Property”), which runs parallel to Oaks Lane; and

**WHEREAS**, the Property is commonly known as a Reserve Strip, which was dedicated to the City as part of the original subdivision plan approval for this development; and

**WHEREAS**, the purpose of a Reserve Strip was to prevent adjoining property owners from enjoying the benefits of a new street dedication and construction without having contributed to the cost; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5(c) any municipality having acquired any real property or interest therein, which acquisition or estate or interest shall have become unsuited or inconvenient for the use for which it was acquired, may, at any time convert a portion or the whole thereof to any other public use unless otherwise provided by law or by the terms of acquisition; and

**WHEREAS**, the City Council has determined that it is no longer suitable for the Property to be used as a Reserve Strip and desires to convert it to public roadway through a deed of roadway dedication; and

**WHEREAS**, the dedication of the Property will widen Oaks Lane to a width of 50 ft., which is the standard width of local public streets.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of the City of Absecon, County of Atlantic, State of New Jersey, as follows:

**Section 1.** Pursuant to N.J.S.A. 40A:12-5(c), upon the execution and recording of the attached Deed of Roadway Dedication, Block 85, Lot 21 on the official tax map of the City of Absecon is hereby dedicated to and becomes part of Oaks Lane.

**Section 2.** That the Mayor is authorized and directed to execute, and the Municipal Clerk, is authorized and directed to attest to any and all documents, and to perform all actions, including having the Deed recorded in the Atlantic County Clerk’s Office, which may be necessary in order to effectuate the intentions of the within Ordinance.

**Section 3.** After introduction, this Ordinance shall be referred to the City of Absecon Planning Board for review and comment pursuant to N.J.S.A. 40:55-26, N.J.S.A. 40:55-32, and N.J.S.A. 40:55-33, since this Ordinance will constitute a change to the official tax map of the City of Absecon.

**Section 4.** That all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 5.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**DATED: April 5<sup>th</sup>, 2018**

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**SIGNED:** \_\_\_\_\_  
**John R. Armstrong, Mayor**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

Passed on first reading at a regular meeting of the Municipal Council held on March 15<sup>th</sup>, 2018. Laid over and advertised for public hearing and final adoption on April 5<sup>th</sup>, 2018. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held on April 5<sup>th</sup>, 2018.