

ORDINANCE NO. 2024 – 04

ORDINANCE OF THE TOWNSHIP OF LACEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF A DEED OF DEDICATION OF OPEN SPACE FROM ARYA PROPERTIES AT PARADISE POINTE, LLC FOR BLOCK 265, LOT 1.01 IN ACCORDNANCE WITH THE “LOCAL LANDS AND BUILDINGS LAW” N.J.S.A. 40A:12-1 ET SEQ.

WHEREAS, Arya Properties at Paradise Pointe, LLC has a proprietary interest in Block 226, Lots 16.01 & 16.02; Block 255, Lots 11-20, Block 259, Lots 15-20, 23 & 24; Block 260, Lots 11-19, 24 & 25 and Block 265, Lots 1-4, 9-11 & 14 (hereinafter “Site”) which was the subject of an Amended Preliminary Major Subdivision Plan application; and

WHEREAS, the site is located at Wildwood Road, which is at the terminus of Salt Spray Drive on the west and Lakeside Drive East and Maritime Drive on the northwest, in the C-100 Marine Commercial Zone. The property is currently developed with 2 single family dwellings, one of which will remain and the other will be demolished. The applicant proposed to develop the site with a 25-lot residential subdivision, using the R-80 zoning requirements, and extending Salt Spray Drive and Lakeside Drive East.; and

WHEREAS, in accordance with the Resolution of Approval 22-MJS-02 of the Lacey Township Planning Board, one lot is required to be open space dedicated to Lacey Township; and

WHEREAS, Arya Properties at Paradise Pointe, LLC proposes to dedicate to the Township of Lacey, as open space, Block 265, Lot 1.01 as shown on the final plat of the approved Amended Preliminary and Final Subdivision Plan for Paradise Pointe at Lacey, prepared by Morgan Engineering and Survey and dated April 12, 2021 in accordance with the provisions of the Planning Board Resolution of approval and more particularly described in

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the Deed of Dedication to the Township of Lacey, a copy of which is attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, the "Local Lands and Buildings Law," N.J.S.A. 40A:12-1 et seq authorizes a municipality to acquire property by the adoption of an ordinance authorizing the acquisition of same.

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

SECTION 1. That the governing body does hereby authorize the acceptance of a Deed of Dedication of open space from Arya Properties at Paradise Pointe, LLC for Block 265, Lot 1.01, as more fully described in Schedule A attached hereto and made a part hereof. The property is being acquired by the Township of Lacey pursuant to N.J.S.A. 40A:12-1 et seq by grant from Arya Properties at Paradise Pointe, LLC..

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from Arya Properties at Paradise Pointe, LLC.

SECTION 3. That all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reasons held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. That this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.


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NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Lacey on first reading at a meeting held on the 28th day of February, 2024. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 14th day of March, 2024 at 6:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 818 Lacey Road, Forked River, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.



AMY McGUCKIN,
Municipal Clerk, Township of Lacey

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