

ORDINANCE #1076

AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY FROM 196 MONMOUTH BOULEVARD, LLC TO INCREASE THE RIGHT-OF-WAY AND ROAD WIDTH OF FOGGIA WAY

WHEREAS, the Oceanport Planning Board granted Minor Subdivision Approval to 196 Monmouth Boulevard, LLC (the "Applicant") on October 11, 2022 and memorialized that approval by Resolution dated October 25, 2022 for the property designated as Block 65, Lot 37, commonly known as 196 Monmouth Boulevard, Oceanport, New Jersey creating two single family lots, proposed Lot 37.01 and proposed Lot 37.02 at the intersection of Foggia Way and Monmouth Blvd (the " Planning Board Approval").

WHEREAS, the Planning Board Approval noted that Foggia Way's right-of-way was deficient as it was only 43 feet and it therefore conditioned its approval of the minor subdivision on the donation and dedication of land by the Applicant to the Borough to increase Foggia Way's right-of-way width to 50 feet with a 24 feet wide road; and

WHEREAS, the Applicant's land surveyor, DPK Consulting Land Surveyors, prepared a legal description dated March 15, 2023 as revised on April 21, 2023 of the real property to be dedicated to the Borough to increase right-of-way width of Foggia Way to 50 feet with a road width of 24 feet (the "Right-of-Way Legal Description") as required by the Planning Board Approval and as attached to this Ordinance; and

WHEREAS, the Planning Board Engineer approved the Right of Way Legal Description a of the land to be dedicated to the Borough to increase Foggia Way's right-of-way to 50 feet with a 24 feet road width; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to accept the donation of the real property from the Applicant to increase the Foggia Way right-of-way for public safety purposes.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the Borough of Oceanport is hereby authorized to accept the donation of the real property identified in the Right-of Way Legal Description from 196 Monmouth Boulevard, LLC for the purpose of increasing Foggia Way's right-of-way to 50 feet with a 24 feet roadway as identified in the Planning Board Approval.

BE IT FURTHER RESOLVED the Mayor, Borough Engineer and Borough Attorney are hereby directed to take all necessary action for the Borough to accept the real property identified in the Right-of-Way Legal Description.

APPROVED ON FIRST READING

DATED: June 15, 2023

JEANNE SMITH
Clerk of the Borough of Oceanport

ADOPTED ON SECOND READING

DATED: July 20, 2023

JEANNE SMITH
Clerk of the Borough of Oceanport

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____.

JOHN F. COFFEY, II
Mayor