

ORDINANCE 15-2023

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY
LOCATED AT 260 CHURCH STREET, KNOWN AS BLOCK 55 LOT 2
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ABERDEEN,
COUNTY OF MONMOUTH**

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq., the Township of Aberdeen (the “Township”) has the power to acquire real property; and

WHEREAS, Bayshore EMS, Inc. (a/k/a Bayshore EMS successor by merger with South Matawan Township First Aid Squad, Inc.) (hereinafter, “Bayshore EMS, Inc.”) is the owner of record title to property located at 260 Church Street, also known as Block 55, Lot 2 on the Official Tax Map of the Township of Aberdeen, County of Monmouth (the “Property”); and

WHEREAS, the Property is encumbered by a condition in title setting forth that the premises would forever be used only for first aid and rescue or other related public purposes accessory thereto; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

WHEREAS, the Township desires to acquire the Property to provide for future first aid and rescue and other related public purposes accessory thereto; and

WHEREAS, Bayshore EMS, Inc. and the Township have agreed to the voluntary conveyance of the Property to the Township for a consideration of \$1.00.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Aberdeen as follows:

1. The Township Council authorizes the acquisition by negotiated agreement of property located at 260 Church Street, also known as Block 55, Lot 2 on the Official Tax Map of the Township of Aberdeen, County of Monmouth (the “Property”), from Bayshore EMS, Inc. (a/k/a Bayshore EMS successor by merger with South Matawan Township First Aid Squad, Inc.) (hereinafter, “Bayshore EMS, Inc.”).
2. The Township Attorney and/or Special Counsel and Township Manager are hereby authorized to take all actions necessary to acquire the Property through voluntary negotiations.
3. The Mayor and/or Township Manager and the Township Clerk are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the interests in the Property, subject to the review of the Township Attorney and/or Special Counsel.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance of parts thereof in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

INTRODUCTION DATE: August 17, 2023

ADOPTION DATE: September 7, 2023

ROLL CALL VOTE:

Ayes: Councilmembers Cannon, Hirsch, Martucci, Montone, Swindle, Deputy Mayor Kelley, Mayor Tagliarini

Nays: None

Abstain: None

Absent: None

I hereby certify the foregoing to be a true copy
of an Ordinance adopted by the Township
Council of the Township of Aberdeen on September 7, 2023

Melissa Pfeifer

Melissa Pfeifer, Township Clerk