

ORDINANCE 10-15

**ORDINANCE OF THE MUNICIPAL COUNCIL OF
THE BOROUGH OF SOUTH TOMS RIVER,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE GROUND LEASE OF A
PORTION OF THE LAND COMMONLY KNOWN AS
BLOCK 20, LOT 1.02 TO THE SOUTH TOMS RIVER
SEWERAGE AUTHORITY**

WHEREAS, the Borough of South Toms River (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough is the owner of the land commonly known as Block 20, Lot 1.02 on the Borough tax maps ("Property") currently improved with recreational athletic fields; and

WHEREAS, the South Toms River Sewerage Authority ("Authority") seeks to ground lease a portion of the Property from the Borough for the purposes of constructing a garage in furtherance of the Authority's public activities; and

WHEREAS, the Borough is authorized under *N.J.S.A. 40A:12-14* of the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.* ("Local Buildings Law") to lease real property not needed for public use to a public body for nominal or other consideration; and

WHEREAS, the municipal council of the Borough ("Municipal Council") desires to accommodate the Authority's needs and approve the entering of a long term ground lease of a portion of the Property (to be located in the southern portion of the parcel off Drake Lane) for nominal consideration as authorized by the Local Buildings Law.

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the Borough of South Toms River, in the County of Ocean, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council hereby authorizes and approves the Borough's entering of a long term ground lease with the Authority for a portion of the Property. The ground lease shall be for a term of 50 years for nominal consideration. The Mayor and Borough Clerk are hereby authorized to execute the ground lease in a form as approved by the Borough's counsel.

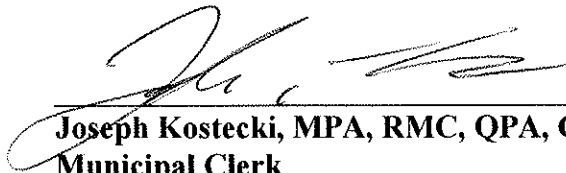
Section 3. A copy of this Ordinance shall be available for public inspection at the offices of the Borough Clerk.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

CERTIFICATION

I, Joseph Kostecki, Borough Clerk of the Borough of South Toms River, Ocean County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Municipal Council at a meeting held on the 27th day of July, 2015.


Joseph Kostecki, MPA, RMC, QPA, CMR
Municipal Clerk