



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 24-168

AUTHORIZING AND DIRECTING THE BOROUGH LAND USE BOARD TO INVESTIGATE WHETHER THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE BOROUGH AS BLOCK 84, LOT 2.01 CONSTITUTES A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, by way of Resolution No. 16-228 adopted on December 7, 2016, the municipal council of the Borough (the “**Borough Council**”) of Highlands, in the County of Monmouth, New Jersey (the “**Borough**”) authorized and directed the Land Use Board of the Borough (the “**Land Use Board**”) to conduct a preliminary investigation of the property identified as Block 84, Lot 2.01 on the Borough’s tax maps, commonly known as Captain’s Cove Marina (the “**Property**”) to determine whether the Property met the criteria for a Non-Condemnation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, by way of Resolution No. 18-070 adopted on March 21, 2018, the Mayor of the Borough and Borough Council determined and declared that the Property be designated a Non-Condemnation Redevelopment Area, pursuant to the Redevelopment Law; and

WHEREAS, the Mayor and Borough Council now desire to authorize and direct the Borough’s planning consultant (the “**Planning Consultant**”), to determine whether the Property, along with all riparian rights and streets and rights of way appurtenant thereto, as set forth in **Exhibit A** attached hereto, (collectively, the “**Study Area**”) meets the criteria set forth in the Redevelopment Law for designation as a Condemnation area in need of redevelopment (the “**Study**”) and to submit a report to Land Use Board detailing its findings (the “**Report**”); and

WHEREAS, the Borough Council desire to refer to the Land Use Board, upon completion, the Report for review in accordance with the Redevelopment Law; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes the Borough Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “**Condemnation Redevelopment Area**”); and

WHEREAS, the Borough Council therefore authorizes and directs the Land Use Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council, all in accordance with the Redevelopment Law.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Highlands, in the County of Monmouth, New Jersey, as follows:

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

2. **Investigation of Study Area Authorized.** The Land Use Board and Planning Consultant are hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in the Redevelopment Law, including N.J.S.A. 40A:12A-5, to be designated as a Condemnation Redevelopment Area and to submit the Report to the Land Use Board with respect thereto.

3. **Map to be Prepared.** As part of this investigation, the Planning Consultant shall prepare a map showing the boundary of the Study Area.

4. **Public Hearing Required.** The Land Use Board shall conduct a public hearing, after giving due notice of the proposed boundary of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is a Condemnation Redevelopment Area.

5. **Land Use Board to Make Recommendations.** After conducting its investigation, preparing a map of the proposed redevelopment area, and conducting a public hearing at which all objections to the designation are received and considered, the Land Use Board shall make a recommendation to the Borough Council as to whether the Borough should designate the Study Area as a Condemnation Redevelopment Area.

6. **Preparation of a Redevelopment Plan.** In the event the Land Use Board determines to recommend that the Borough Council designate the Study Area as a Condemnation Redevelopment Area, the Land Use Board is hereby authorized and directed to prepare a redevelopment plan for the Study Area without need of further action by the Borough Council.

7. **Severability.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

8. **Availability of the Resolution.** A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

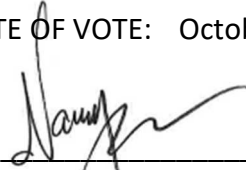
9. **Effective Date.** This Resolution shall take effect immediately.

Motion to Approve R 24-168:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						X
CHELAK		X	X			
MELNYK			X			
OLSZEWSKI			X			
BROULLON	X		X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: October 2, 2024



Nancy Tran, Municipal Clerk
Borough of Highlands

EXHIBIT A

**SCHEDULE A
LEGAL DESCRIPTION**

Issuing Office File No. 36785

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, SITUATED, LYING AND BEING IN THE BOROUGH OF HIGHLANDS, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WESTERLY LINE OF WASHINGTON AVENUE, (R.O.W. VARIES), WITH THE NORTHLY LINE OF CHEERFUL PLACE, (40.00 FOOT R.O.W.), THENCE;

(1) NORTH 51 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT; THENCE

(2) NORTH 39 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 66.00 FEET TO A POINT; THENCE

(3) NORTH 00 DEGREES 20 MINUTES 25 SECONDS EAST, A DISTANCE OF 82.01 FEET TO A POINT; THENCE

(4) NORTH 39 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 831.96 FEET TO A POINT; THENCE

(5) SOUTH 50 DEGREES 38 MINUTES 00 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A POINT; THENCE

(6) SOUTH 39 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 856.38 FEET TO A POINT; THENCE

(7) NORTH 51 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT; THENCE

(8) SOUTH 39 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS IN ACCORDANCE WITH A SURVEY PREPARED BY BERNARD M. COLLINS SURVEYING, INC., DATED 6-3-2020.

TOGETHER WITH ALL RIGHT TITLE AND INTEREST UNDER A CERTAIN RIPARIAN GRANT FROM THE STATE OF NEW JERSEY TO JESSE A. HOWLAND, ET ALS, DATED 12-27-1905 AND FILED IN THE STATE IN LIBER Q PAGE 608 AND IN THE MONMOUTH COUNTY CLERK'S OFFICE ON 4-27-1906 IN BOOK 774, PAGE 110 AND A CERTAIN RIPARIAN GRANT FROM THE STATE OF NEW JERSEY TO WATER WITCH DEVELOPMENT CO., DATED 11-29-1912 AND FILED IN THE STATE IN LIBER T PAGE 590 AND IN THE MONMOUTH COUNTY CLERK'S OFFICE ON 1-28-1913 IN BOOK 944, PAGE 322.

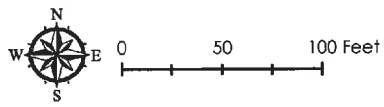
NOTE FOR INFORMATIONAL PURPOSES: THE ABOVE REFERENCED RIPARIAN LANDS AND PREMISES ARE INCLUDED WITHIN THE METES AND BOUNDS DESCRIPTION FIRST ABOVE.

FOR INFORMATION PURPOSES ONLY: BEING KNOWN AS MARINE PL., TAX LOT 2.01, TAX BLOCK 84 ON THE OFFICIAL TAX MAP OF BOROUGH OF HIGHLANDS, NEW JERSEY 07732.

NOTE: LOT AND BLOCK SHOWN FOR INFORMATIONAL PURPOSES ONLY.



B: 84
L: 2.01



Source: NJOGIS, NJGIN, NJDEP, NJDOT

**Captain's Cove
Redevelopment Study Area**
Highlands Borough, NJ