

ORDINANCE # 2022 – 3343

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

Ordinance Approving Entry into A Contract of Purchase of Real Estate Identified as Block 532, Lot 45 (Comptons Creek, Port Monmouth)

WHEREAS, Harry Karatzia (“Owner”) is the owner of the land and premises located at Comptons Creek, Port Monmouth, New Jersey 07758, consisting of 1.73 Acres known as Block 532, Lot 45 in the Township of Middletown, County of Monmouth and State of New Jersey (“Property”); and

WHEREAS, the Township of Middletown (“Middletown”) and Owner seek to enter into a Contract for Purchase of Real Estate (the “Agreement”) for the Property, which sets forth the rights, duties and obligations of the parties; and

WHEREAS, the acquisition of the Property is for the agreed price of One and 00/100 Dollar (\$1.00); and

WHEREAS, Middletown’s acquisition of the Property by ordinance is authorized by the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown, in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Acquisition of Property.

The Township of Middletown is hereby authorized to acquire fee simple title to the land and premises located at Comptons Creek, Port Monmouth, New Jersey 07758, consisting of 1.73 Acres known as Block 532, Lot 45 in the Township of Middletown, County of Monmouth and State of New Jersey, for the total sum of One and 00/100 Dollar.

SECTION 2. Agreement of Sale.

The Township Committee of the Township of Middletown approves the terms and conditions of the Agreement attached hereto as Schedule A by and between the Township and the Owner, a copy of which is filed in the Office of the Township Clerk, subject to minor revisions thereto approved by the Township Administrator as recommended by the Township Attorney that do not substantially modify the terms and conditions of the Agreement, provided that the total consideration paid under the Agreement is not increased.

SECTION 3. Delegation of Authority.

The Mayor, Township Attorney, and Township Clerk are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing, including the execution of all documents required for the acquisition of the Property, including but not limited to the Agreement and other conveyance documents.

SECTION 4. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 5. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 6. Effective Date.

This ordinance shall take effect after final adoption and approval pursuant to law.
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