

ORDINANCE 2024-13

AN ORDINANCE OF THE BOROUGH OF BARNEGAT LIGHT,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
THE TRANSFER OF A PERPETUAL PUBLIC ACCESS EASEMENT
TO THE STATE OF NEW JERSEY.

WHEREAS, the Borough of Barnegat Light owns certain tracts of land identified as public street ends at 3rd through 30th Streets, Seaview Avenue, Broadway, Barnegat Lighthouse State Park, Fisherman’s Memorial, 4th Street bayside, 5th Street lagoon end, Marina Area, 7th Street bayside, Block 16.01 lot 1.01, & Block 50.01 lot 2.01; and

WHEREAS, access to the tidal waterways of the Borough is a right provided to the public under the Public Trust Doctrine; and

WHEREAS, in order to secure public access to the waterways of the Borough, it is the desire of the Borough of Barnegat Light to grant a Deed of Dedication & Perpetual Public Access Easement to itself and to the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:12-13 provides that the governing body of any municipality may transfer an interest in real property to the State of New Jersey when authorized by ordinance.

NOW, THEREFOR, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Barnegat Light, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Borough of Barnegat Light does hereby authorize the transfer of an interest in the public street ends at 3rd through 30th Streets, Seaview Avenue, Broadway, Barnegat Lighthouse State Park, Fisherman’s Memorial, 4th Street bayside, 5th Street lagoon end, Marina Area, 7th Street bayside, Block 16.01 lot 1.01, & Block 50.01 lot 2.01, by Deed of Dedication & Perpetual Public Access Easement to itself and to the State of New Jersey, as set forth in the Deed of Dedication & Perpetual Public Access Easement form attached hereto and incorporated herein by reference, in accordance with the terms thereof.

SECTION 2. This ordinance shall take effect immediately upon its enactment after second reading and publication as required by law.

Passage on First Reading: Date: August 14, 2024

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark			X			
Wellington			X			
Gutowski		X	X			
Reynolds			X			
Foley	X		X			
Mikuletzky			X			

Attest:


BRENDA L. KUHN, Municipal Clerk

ADOPTION:

Final Passage: Date: September 11, 2024

Larson	Moved	Second	Aye	Nay	Abstain	Absent
Spark						X
Wellington			X			
Gutowski			X			
Reynolds		X	X			
Foley	X		X			
Mikuletzky			X			

Attest:


BRENDA L. KUHN, Municipal Clerk


KIRK O. LARSON, Mayor