

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2010/16**

**ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY
AUTHORIZING THE ACCEPTANCE OF THE ORCHARD STREET PUMP STATION
BLOCK 84 LOT 65.08**

WHEREAS, pursuant to a Developer's Agreement with the Borough of Freehold, the developer, Sofia Homes was required to construct a Sewerage Pump Station, ("Pump Station") on lot 65.08, Block 84 on the tax map of the Borough of Freehold, in accordance with plans dated January 27, 2003, last revised September 10, 2003, prepared by Robert A. Nelson P.E., consisting of 10 sheets; and

WHEREAS, upon completion of the construction of the said Pump Station, the Borough assumed full responsibility for its operation and maintenance; and

WHEREAS, the Borough Engineer has reviewed the deed description and approved same; and

WHEREAS, the Borough Engineer has inspected the pump station and recommends acceptance thereof; and

WHEREAS, the Borough desires to accept the conveyance of the above named sewer pump station, which deed shall be recorded in the County Clerk's Office.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold, County of Monmouth and State of New Jersey that:

Section I

The Borough of Freehold hereby accepts title to the property known and designated as Block 84, lot 65.08 as set forth on the tax map of the Borough of Freehold and of the sewer pump station located thereon, as more fully described in the metes and bounds description prepared by Nelson Engineering Associates, Inc., attached hereto as Schedule A, from Sofia Homes, LLC.

Section II

The Borough Clerk shall publish a copy of this Ordinance authorizing the acceptance of the property in the Asbury Park Press by two insertions at least once a week during two consecutive weeks; the last publication to be not earlier than seven (7) days prior to the conveyance.

Section III

The Mayor and Clerk are hereby authorized to execute the necessary documents to effectuate the closing.

Section IV

Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section V

If any provision of this Ordinance or the application of such provision to any provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section VI

This Ordinance shall take effect upon adoption in accordance with law.

Offered By: DiBenedetto

Seconded By: Kane

Roll Call:

Ayes: DiBenedetto, Kane, Newman, Schnurr, Shutzer, Sims

Nays: None

Absent: None

Abstain: None

NOTICE IS HEREBY GIVEN that Ordinance #2010/16 was introduced at a meeting of the Freehold Borough Council in the County of Monmouth, New Jersey, held on September 20, 2010 and passed on first reading and that such Ordinance will be further considered for final passage after public hearing at a meeting of said Mayor and Council to be held at the Municipal Building in said Borough on October 4, 2010 at 7:30 PM or at any meeting to which that meeting may be adjourned, at which time all persons who may be interested therein will be given an opportunity to be heard.

TRACI L. DI BENEDETTO
BOROUGH CLERK

