

Ms. Kane offered the following ordinance pass third and final reading and moved on its adoption:

Borough of Highlands

County of Monmouth

O-15-11

**AN ORDINANCE REPEALING ORDINANCE NUMBER O-15-5 ACCEPTING
VARIOUS DEEDS AND EASEMENTS FROM NAVESINK CAPITAL PARTNERS, LLC
AND SANDY HOOK DEVELOPERS, LLC**

WHEREAS, on February 18, 2015, the Governing Body of the Borough of Highlands adopted Ordinance No. O-15-5; and

WHEREAS, O-15-5 conveyed to the Borough various easements from Navesink Capital Partners, LLC and Sandy Hook Developers, LLC over a portion of Block 101, Lot 27.02 and Lot 27.03; and

WHEREAS, O-15-5 identified Navesink as the owner of Block 101, Lot 27.02; and

WHEREAS, O-15-5 was incorrect at the time of its adoption because Navesink had sold Block 101, Lot 27.02 to Pulte Homes of NJ and therefore Navesink was no longer the owner of Block 101, Lot 27.02; and

WHEREAS, on February 18, 2015, the Borough introduced ordinances O-15-7 and O-15-8, which convey to the Borough various easements from Pulte Homes of NJ, the owner of Block 101, Lot 27.02, and from Sandy Hook Developers, LLC, the owner of Block 101, Lot 27.03; and

WHEREAS, Ordinances O-15-7 and O-15-8 will appropriately convey to the Borough the various easements, which would have been conveyed to the Borough by O-15-5; and

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough of Highlands to repeal O-15-5.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Highlands as follows:

- (1) Ordinance O-15-5 is hereby repealed in its entirety.
- (2) The Mayor, Clerk, and such other Borough officials as may be required, are hereby authorized to take such actions as may be necessary to effectuate the provisions of this Ordinance.
- (3) **SEVERABILITY**. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

(4) REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Seconded by Mr. Card and adopted on the following roll call:

ROLL CALL:

AYES: Mr. Card, Ms. Kane, Ms. Ryan

NAY: None

ABSENT: Mr. Redmond, Mayor Nolan

ABSTAIN: None

DATE: March 18, 2015

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Ordinance O-15-11 adopted by the Governing Body of the Borough of Highlands on March 18, 2015.

Borough Clerk/Deputy Clerk