

PLEASE TAKE NOTICE the following ordinance was introduced and passed on first reading at the August 17, 2026, meeting of the Mayor and Borough Council and is scheduled for a public hearing to begin at 7:00 p.m. on September 8, 2026, in the Municipal Building, located at 555 Brighton Avenue, Spring Lake Heights, at which time and place any person desiring to comment on this ordinance will be given the opportunity to be heard. A copy of the ordinance is available in the clerk's office.

ORDINANCE NO. 2026-13

**BOROUGH OF SPRING LAKE HEIGHTS
COUNTY OF MONMOUTH**

ORDINANCE AUTHORIZING EXTINGUISHMENT OF EASEMENT OVER BLOCK 24, LOT 27, COMMONLY KNOWN AS 555 OLD MILL ROAD, AND AUTHORIZING RELATED ACTIONS

WHEREAS, the Borough of Spring Lake Heights holds an easement (the "Easement") over a portion of Block 24, Lot 27, commonly known as 555 Old Mill Road (the "Property"), and which was made on or about June 28, 1969; and

WHEREAS, pursuant to the Easement, the Borough has assumed the ownership and maintenance of a sewer pump station that operates for the sole benefit of the lot, with the costs for such operations and maintenance borne by the Borough; and

WHEREAS, as such, the Easement does not carry any fair market value to the Borough; and

WHEREAS, the Borough and the Property owner have assented to the Borough's extinguishment of the Easement upon the Property, in exchange for the Borough making certain improvements to the sewer pump infrastructure presently situated on the Property prior to the extinguishment, and the Borough ceasing to have any further purported obligations relating to the sewer pump station; and

WHEREAS, the Borough and the Property owner desire to enter into a purchase and sale agreement to specify the terms and conditions of the Borough's extinguishment of the Easement; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(b)(4), authorizes the Borough to extinguish and vacate an easement and to execute a deed confirming same by private sale provided that the action is authorized by Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), the Borough Clerk has filed a sworn affidavit verifying that the publication of advertisements as required by this section to the Director of the Division of Local Government Services in the Department of Community Affairs.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Spring Lake Heights, County of Monmouth, State of New Jersey, as follows:

1. The foregoing recitals are hereby incorporated as if set forth at length.
2. The Mayor and Council hereby authorizes the execution of a Deed extinguishing the Easement in and upon the Property, for nominal consideration, consistent with the foregoing.
3. The Mayor and Council hereby authorizes entry into a Purchase and Sale Agreement with the Property owner to specify the terms and conditions of the Borough's extinguishment of the Easement, subject to the review and final approval of the Borough Attorney as to final legal form.
4. The Mayor and Council hereby authorizes both the Mayor and Borough Administrator to execute any and all instruments and to take any and all steps reasonably necessary to effectuate the foregoing.
5. **Severability.** The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
6. **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.
7. **Effective Date.** This Ordinance shall take effect upon final adoption and publication in accordance with law.

Publication by Summary Pursuant to N.J.S.A. 40:49-2

This Ordinance approves an extinguishment of an easement and related actions for Block 24, Lot 27, commonly known as 555 Old Mill Road.

Posted-Borough Website August 21, 2026

Posted-Borough Public Notice Bulletin Board August 19, 2026