

ORDINANCE OF THE TOWNSHIP OF MANCHESTER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXCHANGE OF LANDS (BLOCK 1.328, LOTS 16 & 17 FOR BLOCK 1.312, LOTS 16 & 17) BETWEEN THE TOWNSHIP OF MANCHESTER AND JEFFREY JERMAN PURSUANT TO N.J.S.A. 40A:12-16

BE IT ORDAINED by the Township Council of the Township of Manchester, County of Ocean, State of New Jersey, as follows:

SECTION 1. Purpose: Jeffrey Jerman is currently the owner of certain real property located in the Township of Manchester known as Block 1.312, Lots 16 & 17, as shown on the Official Tax Maps of Manchester Township. The Township of Manchester is currently the owner of certain real property located in the Township of Manchester known as Block 1.328, Lots 16 & 17, as shown on the Official Tax Maps of Manchester Township. The Township has determined that it would be in the best interest of the municipality to exchange the lands it owns as identified above with the lands owned by Jeffrey Jerman, thereby exchanging said properties between parties.

SECTION 2: Authorization: Pursuant to N.J.S.A. 40A:12-2, a municipality may, pursuant to N.J.S.A. 40A:12-16, agree to enter into an agreement for the exchange of lands which is in the best interest of the municipality. The Township has determined that the lands it owns, Block 1.328, Lots 16 & 17, shall be transferred to Jeffrey Jerman in return for the lands owned by Mr. Jerman known as Block 1.312, Lots 16 & 17, as shown on the Township's tax maps. The Township has determined that the properties are of substantially equal value and it is more beneficial to the Township to obtain title to the Jerman properties than it is for it to continue to remain the owner of lot owned by the municipality. As a result, this Ordinance authorizes the exchange of said lands pursuant to N.J.S.A. 40A:12-16 between the Township of Manchester and Jeffrey Jerman, in accordance with the terms and conditions of a proposed Contract for same as set forth and attached hereto as Schedule "A".

SECTION 3. Upon the adoption of this ordinance, the Mayor, Township Clerk and Township professionals are hereby authorized to execute any and all documents necessary to implement the intent of this ordinance.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. Pursuant to the provisions of N.J.S.A. 40:69A-181(b), this Ordinance shall take effect twenty (20) days after its final passage by the Township Council and approval by the Mayor where such approval is required by law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Council of the Township of Manchester, in the County of Ocean and State of New Jersey on the 8th day of June 2026 and was then read for the first time. The said ordinance will be further considered for final passage by the Township Council in the Town Hall at 6:00 p.m. on June 22, 2026. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Teri Giercyk, RMC/CMC
Municipal Clerk

SCHEDULE A

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This Agreement, made this,
2023 (the "Effective Date"),

day of

BETWEEN: Jeffrey Jerman
P.O. Box 922
Point Pleasant Borough, NJ 08742
(hereinafter designated as "Jerman")

AND: Manchester Township
1 Colonial Drive
Manchester, NJ 08759
(hereinafter designated as the "Township")

Wherein either Jerman or the Township is the Grantor of the property, it will be referred to as Grantor herein, and wherein acting as Grantee, it will be referred to as Grantee.

WITNESSETH:

1. **PROPERTY SOLD.** Jerman and Township agree to exchange the properties described in this contract. The properties to be exchanged for \$1.00 each consist of (a) the land and (b) all the Grantor's rights relating to the land. The property to be exchanged from Jerman to Township is known as Block 1.312, Lots 16 & 17 in Manchester, New Jersey. The properties to be exchanged from Township to Jerman are Block 1.328, Lots 16 & 17 in Manchester, New Jersey, which Jerman shall consolidate with the properties he owns identified as Block 1.328, Lots 14 & 15 into a new lot identified as Lot 14.01.

Pursuant to N.J.S.A. 40A:12 2(a), a local municipality may obtain title to property through acquisition by gift, devise, purchase, exchange, grant, lease, condemnation or installment purchase agreement unless otherwise indicated. Likewise, pursuant to N.J.S.A. 40A:12-2(i), if a municipality wishes to exchange real property, same is not considered a sale of said estate or interest therein in accordance with N.J.S.A. 40A:12-5. Finally, pursuant to a New Jersey Local Lands and Building Law, specifically N.J.S.A. 40A:12-16, a municipality, may by ordinance, exchange any lands or rights or interests therein owned by the municipality for other lands or interest therein desired for public use.