

**ORDINANCE #1093**

**AN ORDINANCE OF THE BOROUGH OF OCEANPORT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF REAL PROPERTY FROM MANVAN, LLC TO INCREASE THE RIGHT-OF-WAY AND ROAD WIDTH OF FOGGIA WAY**

**WHEREAS**, the Oceanport Planning Board granted Minor Subdivision Approval to Manvan, LLC (the "Applicant") on October 11, 2022 and memorialized that approval by Resolution dated October 25, 2022 for the property designated as Block 65, Lots 40 and 41, commonly known as 190-192 Monmouth Boulevard, Oceanport, New Jersey creating two single family lots, proposed Lot 40.01 and proposed Lot 40.02 at the intersection of Foggia Way and Monmouth Blvd (the " Planning Board Approval" ).

**WHEREAS**, the Planning Board Approval noted that Foggia Way's right-of-way was deficient as it was only 43 feet and it therefore conditioned its approval of the minor subdivision on the donation and dedication of land by the Applicant to the Borough to increase Foggia Way's right-of-way width to 50 feet with a 24 feet wide road; and

**WHEREAS**, the Applicant's land surveyor, DPK Consulting Land Surveyors, prepared a legal description dated March 27, 2023 of the real property to be dedicated to the Borough to increase right-of-way width of Foggia Way to 50 feet with a road width of 24 feet (the "Right-of-Way Legal Description") as required by the Planning Board Approval and as attached to this Ordinance; and

**WHEREAS**, the Planning Board Engineer approved the Right of Way Legal Description of the land to be dedicated to the Borough to increase Foggia Way's right-of-way to 50 feet with a 24 feet road width; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to accept the donation of the real property from the Applicant to increase the Foggia Way right-of-way for public safety purposes.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Oceanport, County of Monmouth and State of New Jersey that the Borough of Oceanport is hereby authorized to accept the donation of the real property identified in the Right-of Way Legal Description from Manvan, LLC for the purpose of increasing Foggia Way's right-of-way to 50 feet with a 24 feet roadway as identified in the Planning Board Approval.

**BE IT FURTHER RESOLVED** the Mayor, Borough Engineer and Borough Attorney are hereby directed to take all necessary action for the Borough to accept the real property identified in the Right-of-Way Legal Description.

**APPROVED ON FIRST READING**

DATED: April 18, 2024

**ADOPTED ON SECOND READING**

DATED: May 16, 2024

JEANNE SMITH  
Clerk of the Borough of Oceanport

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.**

**THOMAS J. TVRDIK**  
Mayor



Date: March 25, 2023  
Job No. 21-9414

Description of a Right of Way Dedication to the Borough of Oceanport across a portion of Tax Lot 40 Block 65 in the Borough of Oceanport, County of Monmouth, and State of New Jersey.

**BEGINNING** at a point on the easterly sideline of Foggia Way (F.K.A. Maple Place) (43' Wide R.O.W. per Tax Map) where the same is intersected by the with the dividing line between Tax Lots 40 and 43, Block 65, as shown on a map entitled "Minor Subdivision Plan, 190 & 192 Monmouth Boulevard, Block 65, Lot 40 & 41, Borough of Oceanport, Monmouth County, New Jersey", dated June 14, 2022, Last Revised January 12, 2023, prepared by Shore Point Engineering about to be filed in the office of the Monmouth County Clerk's Office; and runs thence

1. Along the easterly sideline of Foggia Way, North 12 degrees 11 minutes 19 seconds West, 127.44 feet to a point; thence
2. North 77 degrees 48 minutes 41 seconds East, 4.00 feet to a point; thence
3. Along the new easterly sideline of Foggia Way, South 12 degrees 11 minutes 19 seconds East, 127.22 feet to a point; thence
4. Along the dividing line between Tax Lots 40 and 43, Block 65, South 74 degrees 38 minutes 40 seconds West, 4.01 feet to the place of **BEGINNING**.

Containing 509 square feet and 0.0117 acres of land.

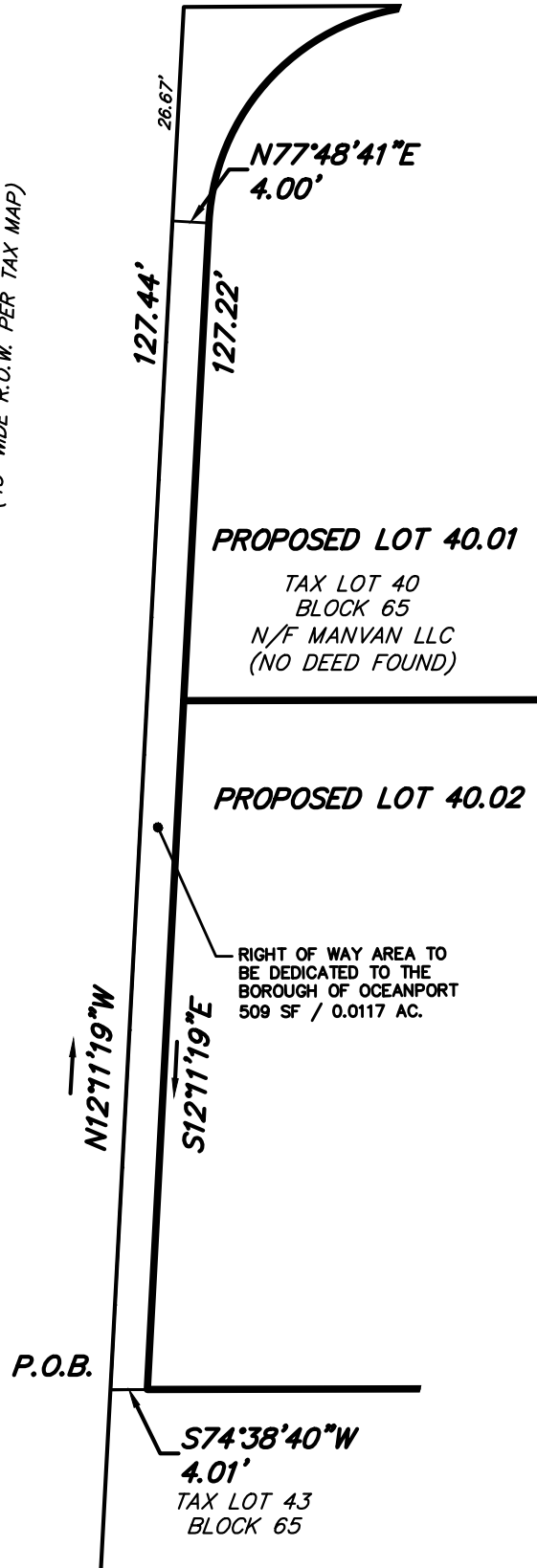
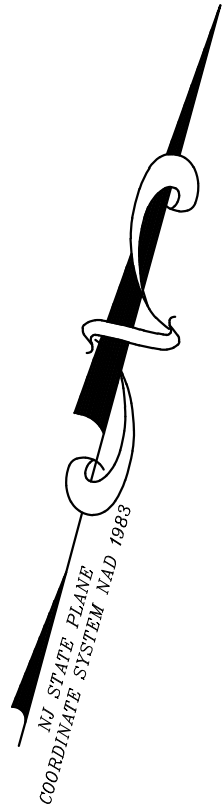
This description is prepared in accordance with an exhibit entitled "Borough R.O.W. Dedication Exhibit, Tax Lot 40, Block 65, 190 & 192 Monmouth Boulevard, Borough of Oceanport, Monmouth County, New Jersey", dated March 27, 2023, prepared by DPK Consulting, LLC.

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James J. Heiser, PLS  
NJ Professional Land Surveyor  
License # 24GS04331100

**MONMOUTH BOULEVARD**  
 (MONMOUTH COUNTY HIGHWAY ROUTE 33)  
 (VARIABLE WIDTH R.O.W. PER TAX MAP)

**FOGGIA WAY**  
 (F.K.A. MAPLE PLACE)  
 (43' WIDE R.O.W. PER TAX MAP)



**PROPOSED LOT 40.01**

TAX LOT 40  
 BLOCK 65  
 N/F MANVAN LLC  
 (NO DEED FOUND)

**PROPOSED LOT 40.02**

RIGHT OF WAY AREA TO  
 BE DEDICATED TO THE  
 BOROUGH OF OCEANPORT  
 509 SF / 0.0117 AC.

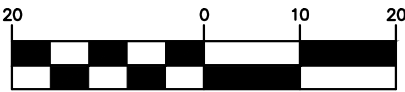
P.O.B.

S74°38'40"W  
 4.01'  
 TAX LOT 43  
 BLOCK 65

**MAP REFERENCE:**

- THIS EXHIBIT IS PREPARED IN ACCORDANCE WITH A MAP ENTITLED "MINOR SUBDIVISION PLAN, 190 & 192 MONMOUTH BOULEVARD, BLOCK 65, LOT 40 & 41, BOROUGH OF OCEANPORT, MONMOUTH COUNTY, NEW JERSEY", DATED JUNE 14, 2022, LAST REVISED JANUARY 12, 2023, PREPARED BY SHORE POINT ENGINEERING.

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 20 ft.

1	-	-	-	-
REV	DATE	DESCRIPTION	BY	CHKD



**DPK CONSULTING**  
DPK CONSULTING, LLC  
 200 METROPLEX DRIVE - STE. 285, EDISON, NJ 08817  
 P: 732-764-0100 F: 732-764-0990  
 NEW JERSEY CERTIFICATE OF AUTHORIZATION NO. 24GA28042200

**BOROUGH OF OCEANPORT**  
**R.O.W. DEDICATION EXHIBIT**  
 TAX LOT 40  
 BLOCK 65

190 & 192 MONMOUTH BOULEVARD  
 BOROUGH OF OCEANPORT  
 MONMOUTH COUNTY, NEW JERSEY

**James J. Heiser**  
 Professional Land Surveyor  
 JHEISER@DPKCONSULTING.NET

DATE \_\_\_\_\_  
 N.J. Lic: 24GS04331100  
 PA. Lic: SU075616  
 N.Y. Lic: 050932-1  
 CT. Lic: 70476  
 DE. LIC: S6-0010858

Scale <b>1"=20'</b>	Dr. <b>J.L.M.</b>	Chk. <b>E.A.S.</b>	Date <b>03/27/2023</b>	Job No. <b>21-9414</b>
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In consideration of the mutual covenants between the client listed above and the undersigned, I declare that this plan is based on a field survey made under my direct supervision on the date listed above and to the best of my professional knowledge, information and belief, correctly represents the conditions found on the date of the survey, except easements, if any, below and/or above the surface of the lands and not visible. Underground utilities and/or determination of environmentally sensitive areas were not located or made by this survey. This survey is subject to conditions which an accurate title search might disclose. This plan is made to provide relevant information to the title insurer and the mortgage holder named above. This declaration is given solely to the above named parties for this transaction only and is not transferable, except as provided herein.



Drawing File:  
**21-9414-EX00**