

CITY OF ABSECON

ORDINANCE 15-2016

**AN ORDINANCE OF THE CITY OF ABSECON ACCEPTING
THE STREET KNOWN AS EAST WOODLAND AVENUE**

WHEREAS, the unit owners at Woodland Village are part of the Woodland Village Condominium Association; and

WHEREAS, the Association has formed a non-profit corporation known as the Woodland Village Condominium Association, Inc. which is a valid, existing, legal and registered non-profit corporation of the State of New Jersey; and

WHEREAS, there has been a request made through the Woodlands Village Condominium Association, Inc. that the City of Absecon accept the street commonly known as East Woodland Avenue; and

WHEREAS, by accepting the same the City of Absecon agrees to be responsible for any plowing, paving, and other maintenance all in the discretion of the City and its Public Works Department as to need and frequency of the same, subject to a certain Settlement Agreement and Mutual Release dated November 18th, 2016; and

WHEREAS, there is a certain Bond Fund in the amount of \$4,156.09 being held by the City; and

WHEREAS, the Woodland Village Condominium Association, Inc. on behalf of the Association and all unit owners shall provide a full Release to the City of Absecon, any employees, agents and representatives thereof; and

WHEREAS, the Woodland Village Condominium Association, Inc. on behalf of the Association and the unit owners shall sign an Indemnification and Hold Harmless Agreement with the City to the extent that any future claims are made with respect to the Bond Fund mentioned above; and

WHEREAS, upon the adoption, final passage and publication and effective date of the Ordinance, the Bond Fund in the amount of \$4,156.09 shall be released to the Woodland Village Condominium Association, Inc.

NOW THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Absecon, County of Atlantic and State of New Jersey as follows:

Section I – The City of Absecon hereby accepts as a municipal street East Woodland Avenue.

Section II – Upon receipt from Woodland Village Condominium Association, Inc. of an authorized and binding Release and Indemnification and Hold Harmless Agreement and this Ordinance becoming effective pursuant to law, the Bond Fund in the amount of \$4,156.09 shall be released to the Association.

Section III – The City Engineer is authorized to take any and all action, if any is necessary, to show East Woodland Avenue on the tax map as a municipal street.

Severability – If any section or part of this Chapter is deemed to be invalid or illegal in any Court of competent jurisdiction then said part s severable from this Chapter as a whole and the remaining sections or parts of this Chapter shall remain in full force and effect.

Effective Date – This Ordinance shall become effective upon passage and publication pursuant to law.

Repealer – Any Ordinance or section thereof, inconsistent with this Ordinance shall be repealed.

DATED: December 1st, 2016

SIGNED: 
John R. Armstrong, Mayor

ATTEST: 
Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on November 17th 2016. Laid over and advertised for public hearing and final adoption on December 1st, 2016. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held on December 1st, 2016.