

**CITY OF BRIGANTINE  
ORDINANCE NO. 7 of 2026**

**AN ORDINANCE VACATING A PORTION OF CITY  
PROPERTY ADJACENT TO BLOCK 1701, LOT 7**

**WHEREAS**, the City of Brigantine has from time-to-time, vacated portions of property which no longer serve a public use; and

**WHEREAS**, N.J.S.A. 40:67-1(b) permits the City of Brigantine Council to vacate any public street, highway, lane or alley, or any part thereof in order to serve the interests of the City; and

**WHEREAS**, there is a sliver of land, located inside of paver sidewalk at 1201 Bayshore Avenue, which serves no public purposes and only benefits the property at Block 1701, Lot 7; and

**WHEREAS**, the City previously adopted a resolution granting a revocable license to the owner for exclusive use of the land and the City now believes that vacating the land to the owner provides better protection to the owner and the City moving forward; and

**WHEREAS**, vacation would allow the adjacent property owner to use this land for its own rock garden, steps and walkway which were constructed in the licensed area; and

**WHEREAS**, the City Council believes it is in the best interest of the City and the adjacent property owner to vacate this sliver of land; and

**WHEREAS**, this vacation will not land lock any other parcel; and

**WHEREAS**, this vacation will transfer the entirety of this sliver of land to Block 1701, Lot 7; and

**WHEREAS**, this vacation will not impact the public's continued use and enjoyment of 12<sup>th</sup> Street South which will continue to have a 60 foot right of way.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey as follows:

1. The City Council of the City of Brigantine hereby vacates the sliver of land adjacent to Block 1701, Lot 7 which is outside of the public right of way of 12<sup>th</sup> Street South, and as reflected in Detail A survey prepared by Polistina & Associates, dated January 16, 2026, which is attached hereto and incorporated herein.
2. The public rights, interests and obligations of the aforementioned land are hereby vacated, abandoned and released and the entirety of the vacated area shall be incorporated into Block 1701, Lot 1 on the Tax Map of the City of Brigantine.
3. The property described herein and vacated by this Ordinance shall be wholly incorporated into Block 1701, Lot 1 on the Tax Map of the City of Brigantine.

4. Any prior revocable licenses previously issued by the City of Brigantine affecting Block 1701, Lot 1 are hereby revoked and of no legal effect.
5. In accordance with the provisions of N.J.S.A. 40:67-1, although none is believed to exist, there is hereby reserved from said vacation the rights of any public utility company or cable television company to maintain repair and replace any existing facilities located within the vacated area, together with the right of ingress and egress over and upon the same in order to carry out such purposes.
6. The Mayor, City Manager/Clerk and City Engineer are authorized to execute any and all documents necessary to effectuate the purpose of this Ordinance upon approval of those documents by the City Solicitor.

**Repealer, Severability and Effective Date.**

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

C. This Ordinance shall take effect upon passage and publication according to law.

INTRODUCTION: April 15, 2026

**ACTION ON INTRODUCTION:**

Motion made by: Deputy Mayor Bew  
 Motion seconded by: Councilman Riordan

**VOTE ON INTRODUCTION:**

|                      |   |                             |                                  |                                      |
|----------------------|---|-----------------------------|----------------------------------|--------------------------------------|
| Deputy Mayor Bew:    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Lettieri: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Haney:    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Virgilio  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Kane:     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Riordan:  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Mayor Sera:          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |

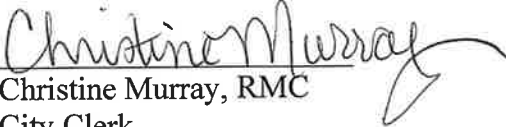
**ACTION ON ADOPTION (after public hearing)**


Motion made by: Deputy Mayor Bew  
 Motion seconded by: Councilman Lettieri

**VOTE ON ADOPTION:**

|                      |   |                             |                                  |                                      |
|----------------------|---|-----------------------------|----------------------------------|--------------------------------------|
| Deputy Mayor Bew:    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Lettieri: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Haney:    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Virgilio  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Kane:     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Councilman Riordan:  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |
| Mayor Sera:          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Abstain | <input type="checkbox"/> Not Present |

ADOPTION: May 6, 2026

  
Christine Murray, RMC  
City Clerk

  
Vincent Sera, Mayor