

**ORDINANCE BOROUGH OF CARLSTADT**  
**NOTICE**

**NOTICE IS HEREBY GIVEN** that the following proposed ordinance was introduced and passed on first reading at a regular meeting of the Mayor and Council of the Borough of Carlstadt held on the 20<sup>th</sup> day of November, 2025 and that said ordinance will be taken up for further consideration for final passage at a meeting of said Borough Council to be held on the 3<sup>rd</sup> day of December, 2025 at 7:00 P.M., or as soon thereafter as said matter can be reached, at the Borough Hall, Carlstadt, New Jersey, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

**ORDINANCE NO. 25-16**

**AN ORDINANCE OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN, STATE OF NEW JERSEY ACCEPTING DEDICATION OF A PORTION OF PROPERTY IDENTIFIED AS BLOCK 126, LOT 33 FOR THE PURPOSE OF CREATING A PUBLIC RIGHT-OF-WAY AND THOROUGHFARE KNOWN AS KERO ROAD**

**WHEREAS**, the Borough of Carlstadt (the “**Borough**”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-4 and 40A:12-5, the Borough is authorized to acquire, by ordinance, real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

**WHEREAS**, BPREP 111 Kero Road LLC (the “**Grantor**”), is the owner in fee simple of Block 126, Lots 33 and 34 in the Borough (the “**Grantor’s Property**”); and

**WHEREAS**, a portion of the Grantor’s Property, which connects to Kero Road, a public right-of-way, has been open and used by the public for vehicular and pedestrian access, maintained by the Borough and has been generally regarded and treated as a public street by the Borough, the Grantor and the general public for many years; and

**WHEREAS**, it was previously understood and believed that said portion of the Grantor’s Property had already been dedicated to and accepted by the Borough as a public right-of-way, however, upon recent review, it was determined that no formal dedication or acceptance of a portion of the Grantor’s Property was ever recorded or adopted by ordinance; and

**WHEREAS**, in order to eliminate any ambiguity regarding the public status of the roadway and to ensure its continued maintenance and use for the benefit of the public, the Mayor and Council wish to formally accept and dedicate approximately 0.217 acres (9,456 square feet) of the Grantor’s Property, as described in **Exhibit A** and as depicted on **Exhibit B** attached hereto and made a part hereof, (the “**Dedicated Property**”) as a public right-of-way, which will be an extension of the existing Kero Road public right-of-way; and

**WHEREAS**, Grantor is willing to dedicate and convey to the Borough, and the Borough is willing to accept from Grantor, the Dedicated Property for public road and public right-of-way purposes, as outlined in the proposed deed of dedication attached hereto as **Exhibit C** (the “**Deed of Roadway Right of Way Dedication**”).

**NOW, THEREFORE, BE ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CARLSTADT, NEW JERSEY AS FOLLOWS:**

**Section 1.** The recitals are incorporated herein as though fully set forth herein.

**Section 2.** The Borough hereby accepts the dedication of the Dedicated Property for use as a public roadway and public right-of-way as outlined in the Deed of Dedication attached hereto as **Exhibit C**.

**Section 3.** The Mayor, Business Administrator, and/or Deputy Borough Clerk of the Borough of Carlstadt are hereby authorized and directed to execute all documents necessary to effectuate the acceptance of the dedication described herein and to take all other necessary or appropriate action to effectuate the purposes of this Ordinance.

**Section 4.** The Deputy Borough Clerk of the Borough of Carlstadt is hereby authorized and directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2.

**Section 5.** Once adopted, the Deputy Borough Clerk is authorized and directed to cause a certified copy of this Ordinance to be filed with the Clerk of Bergen County, pursuant to N.J.S.A. 40:67-2.

**Section 6.** This Ordinance shall take effect according to applicable law.

**INTRODUCED:** November 20, 2025

APPROVED: \_\_\_\_\_  
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: \_\_\_\_\_  
KIMBERLY KOZIEL, DEPUTY BOROUGH CLERK