

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: _____

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ACCEPTING THE CONVEYANCE OF DEED IN LIEU OF CONDEMNATION
AND A UTILITIES EASEMENT
FROM WHITING SHOPPING CENTER ASSOCIATES, LLP,
FOR THE PURPOSES OF ROADWAY IMPROVEMENTS AT THE
INTERSECTION OF PERRINEVILLE ROAD
AND PROSPECT PLAINS ROAD a/k/a COUNTY ROUTE 614**

WHEREAS, Whiting Shopping Center Associates, L.L.P. (successor-in-interest to Concordia Shopping Center Associates), a New Jersey partnership (Fee Owner), and Concordia Holding, L.L.C., a New Jersey limited liability company (Ground Lessee), having an address c/o Flaster Greenberg, P.C., 1810 Chapel Avenue West, Cherry Hill, New Jersey 08002, Attention William S. Skinner, Esq., (collectively "Grantors"), are the fees owner and ground lessee of the premises designated as Lot 27.01, Block No. 27.02, as shown on the Tax Map of the Township of Monroe, in the County of Middlesex and State of New Jersey; and

WHEREAS, the Township undertook and completed an intersection improvement project involving the intersection of Perrineville Road and Prospect Plains Road (County Route 614) requiring the acceptance of a Deed ("Deed-In-Lieu of Condemnation") of a 62.40 foot section of property known as Parcel 11, fronting on Perrineville Road and Prospect Plains Road (County Route 614), and the acceptance of a separate utility easement ("Deed of Easement") on a portion of the premises designated as Lot 27.01 in Block No. 27.02; and

WHEREAS, Grantors have agreed to sell Parcel 11 and grant an easement on portions of the premises designated as Lot 27.01, Block No. 27.02 to the Township of Monroe for consideration of Two Hundred Dollars (\$200.00), as determined through arm's length negotiations; and

WHEREAS, the Council believes that accepting the Deed-In-Lieu of Condemnation and Deed of Easement for the purpose of intersection improvement is in the public interest; and

WHEREAS, the Township Engineer has reviewed the attached metes and bounds descriptions for said lots and has found same to be in conformity with the requirements of the intersection improvement and utility easement; and

WHEREAS, the Township Council has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the Deed-in-lieu of Condemnation and Deed of Easement agreement from the Grantors;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, in the County of Middlesex, State of New Jersey as follows:

Section 1. The Mayor and Township Clerk are hereby authorized to accept the Deed-in-Lieu of Condemnation as to Lot 27.01, Block No. 27.02 in the form attached as Exhibit "A."

Section 2. The Mayor and Township Clerk are hereby authorized to accept the Deed of Easement as to Lot 27.01, Block No. 27.02 in the form attached as Exhibit "B."

Section 3. The Township's Certified Municipal Finance Officer is hereby authorized and directed to pay the sum of Two Hundred Dollars (\$200.00) payable to ***Whiting Shopping Center Associates, LLP c/o Flaster Greenberg, P.C., 1810 Chapel Avenue West, Cherry Hill, New Jersey 08002, Attention William S. Skinner, Esq.,*** said sum representing the purchase of Parcel 11 and the granting of an easement to the Township on portions of the premises designated as Lot 27.01, Block 27.02.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.

GERALD W. TAMBURRO, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance has been introduced and passed on first reading at a meeting of the Monroe Township Council held on November 4, 2015. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held on December 9, 2015 at 7:00 p.m. in the Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

SHARON DOERFLER, Township Clerk

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

RICHARD A. PUCCI, Mayor

DATE SIGNED _____