

**MONROE TOWNSHIP, MIDDLESEX COUNTY**

**ORDINANCE NO.: O-9-2016-030**

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AUTHORIZING THE ACQUISITION OF CERTAIN PARCELS  
OF LAND FOR TRAFFIC SIGNALIZATION AT THE INTERSECTION  
OF PERRINEVILLE ROAD (C.R. 625) AND FEDERAL ROAD**

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**WHEREAS**, the Township has determined that it is in the public interest to make certain improvements and install a traffic control device at the intersection of Perrineville Road and Federal Road (the "Intersection"); and

**WHEREAS**, Perrineville Road is a County road, being County Road 625; and

**WHEREAS**, by Resolution No.: R-8-2011-205, the Township Council authorized the execution of a cost sharing agreement with the County of Middlesex for improvements to the Intersection; and

**WHEREAS**, Vaso Todoric and Marina Todoric (the "Todoric's") own real property commonly known as 224 Federal Road, identified on the official Tax Maps of the Township of Monroe as Block 20, Lot 28.04 in the County of Middlesex and State of New Jersey; and

**WHEREAS**, Linda Modzelewski owns real property commonly known as 227 Federal Road, identified on the official Tax Maps of the Township of Monroe as Block 19, Lot 1.02 in the County of Middlesex and State of New Jersey; and

**WHEREAS**, Otto and Mary Pohl (the "Pohl's") own real property identified on the official Tax Maps of the Township of Monroe as Block 17, Lot 8, and Block 18, Lot 18, in the County of Middlesex and State of New Jersey; and

**WHEREAS**, Perrineville Development, LLC owns real property identified on the official Tax Maps of the Township of Monroe as Block 19, Lot 1.01 in the County of Middlesex and State of New Jersey; and

**WHEREAS**, the Township of Monroe has determined that it is necessary to obtain fee simple in portions of the above described real property (the "Property") in order to make the improvements to the Intersection; and

**WHEREAS**, the Todoric's have agreed to sell the Property to the Township of Monroe for consideration of Three Thousand Five Hundred Dollars (\$3,500.00); and

**WHEREAS**, Linda Modzelewski has agreed to sell the Property to the Township of Monroe for consideration of Eight Thousand Four Hundred Dollars (\$8,400.00); and

**WHEREAS**, the Pohl's have agreed to sell the Property to the Township of Monroe for consideration of Two Thousand Dollars (\$2,000.00); and

**WHEREAS**, Perrineville Development, LLC has agreed to sell the Property to the Township of Monroe for consideration of One Thousand Nine Hundred Dollars (\$1,900.00); and

**WHEREAS**, the Township received real property appraisals for each of the referenced properties and the Township Council deems the compensation to be fair and reasonable; and

**WHEREAS**, by Agreement dated October 6, 2011, between the County of Middlesex and the Township of Monroe, the County has agreed to bear one hundred (100%) percent of the cost for acquisition of rights-of-way and easements and one hundred (100%) percent of all associated costs, including but not limited to appraisals, condemnation and legal fees and services; and

**WHEREAS**, the Township's Chief Financial Officer has verified that there are sufficient funds to pay for the aforesaid acquisitions, subject to reimbursement by the County of Middlesex pursuant to the aforesaid Agreement;

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

**Section 1.** The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to execute any and all documents as are reasonably necessary to acquire title to:

- (a) The portion of the parcel of land identified as Block 20, Lot 28.04, as described on Exhibit "A";
- (b) The portion of the parcel of land identified as Block 19, Lot 1.02, as described on Exhibit "B";
- (c) The portion of the parcel of land identified as Block 17, Lot 8, as described on Exhibit "C"; and
- (d) The portion of the parcel of land identified as Block 18, Lot 18, as described on Exhibit "D" and
- (e) The portion of the parcel of land identified as Block 19, Lot 1.01, as described on Exhibit "E"; and
- (f) All improvements erected on, over and beneath aforesaid lands; and
- (g) All easements, rights-of-way or uses, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands and all right, title and interest of the owners in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining aforesaid lands.

**Section 2.** The purchase price of the portions of the parcels of land described aforesaid shall be as follows:

- (a) The portion of the parcel of land identified as Block 20, Lot 28.04, Three Thousand Five Hundred Dollars (\$3,500.00);
- (b) The portion of the parcel of land identified as Block 19, Lot 1.2, Eight Thousand Four Hundred Dollars (\$8,400.00);
- (c) The portion of the parcel of land identified as Block 17, Lot 8, One Thousand Dollars (\$1,000.00); and
- (d) The portion of the parcel of land identified as Block 18, Lot 18, One Thousand Dollars (\$1,000.00); and
- (e) The portion of the parcel of land identified as Block 19, Lot 1.01, One Thousand Nine Hundred Dollars (\$1,900.00); as determined through arm's length negotiations.

**Section 3.** The Mayor and Township Clerk are hereby authorized to accept the Deeds transferring the Properties, provided the Deeds are in forms satisfactory to the Township Attorney.

**Section 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 5.** If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, subdivision, sentence, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

**Section 6.** This Ordinance shall take effect upon final passage and publication as provided by law.

**SO ORDAINED**, as aforesaid.

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LESLIE KOPPEL, Council President

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**NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on September 7, 2016. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on October 5, 2016 at 7:00 p.m. at the Monroe Township 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.

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PATRICIA REID, 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.

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GERALD W. TAMBURRO, Mayor

Date signed: \_\_\_\_\_