

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO. O-12-2017-029

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ACCEPTING A DEED OF WATER AND SEWER EASEMENTS
FROM BLOCK 6, LOT 37 INC. ON LOT 37 IN BLOCK 6**

WHEREAS, BLOCK 6, LOT 37 Inc. is the owner of real property in Monroe Township, which has been approved for development by the Monroe Township Board of Adjustment pursuant to resolution BA-5125-16; and

WHEREAS, BLOCK 6, LOT 37 Inc. has dedicated certain easements for the installation of Water and Sanitary Sewer appurtenance facilities in connection with the development of Block 6; and

WHEREAS, the Monroe Township Utility Department has reviewed the metes and bounds descriptions and maps for the Water and Sewer Easement Deeds and has found the same to be in conformity with the approved development and recommends acceptance of the Water and Sewer Easement Deeds; and

WHEREAS, the Township Attorney has reviewed the attached Water and Sewer Easement Deeds and found them to be legally sufficient; and

WHEREAS, the Township Council has determined that accepting the aforesaid Water and Sewer Easement Deeds is in the public interest;

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

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the Water and Sewer Easement Deed from BLOCK 6, LOT 37, Inc.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, 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.

STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – December 4, 2017						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin						
Councilwoman Cohen						
Councilman Leibowitz						
Council V. President Schneider						
Council President Dalina						

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 December 4, 2017. 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 December 27, 2017 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.

PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– December 27, 2017						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin						
Councilwoman Cohen						
Councilman Leibowitz						
Council V. President Schneider						
Council President Dalina						

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FROM BLOCK 6, LOT 37 INC. ON LOT 37 IN BLOCK 6**

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.

GERALD W. TAMBURRO, Mayor

Date signed: _____

Prepared by: Todd D. Greene, Esquire
Todd Greene

DEED OF EASEMENT

THIS DEED, made on this ^{20th} day of April, 2016,

Between **Block 6, Lot 37 Inc.**, a NJ Corporation (owner, lot 37, block 6, 57 Bentley Road), whose address is 1260 South River Road Cranbury, NJ 08512 hereinafter referred to as "GRANTOR"

and

TOWNSHIP OF MONROE, a public body corporate and politic of the Township of Monroe, County of Middlesex, and the State of New Jersey, with its principal office at One Municipal Plaza, Monroe Twp., New Jersey 08831, referred to as the "TOWNSHIP",

WITNESSETH:

That the GRANTOR, in consideration of **LESS THAN ONE HUNDRED (\$100.00) DOLLARS**, the receipt of which is hereby acknowledged, does hereby grant and convey to the TOWNSHIP an exclusive easement across the property in the Township of Monroe, County of Middlesex, and State of New Jersey, being part of the premises designated as future Lot 37.01, Block 6, and more particularly described in Schedules "A" and "B" attached hereto.

The easement herein granted and conveyed by the GRANTOR to the TOWNSHIP gives the TOWNSHIP the right to construct, maintain, replace, or supplement its sewerage/water and appurtenant facilities on or under the surface of the said premises and to have free access to and across the said premises without need of notice, insofar as such right of access is necessary to the proper use of any right granted herein, on the condition that the Township, after doing work on the premises, shall restore the premises substantially to its original condition, to the extent possible.

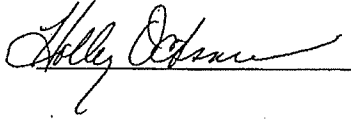
With respect to the easement herein granted, the Grantors, its successors and assigns, shall have the right to surface use of the said premises, but agree to be limited as follows:

1. No obstruction or encumbrance, physical or otherwise, shall be placed in or about the said premises which will obstruct the Township's purpose as expressed herein. This prohibition includes, anything other than a grass lawn.
2. No fill, material, machinery, appliances, or similar objects may be placed on the said premises which will impose an additional loading in excess of one hundred pounds per square foot (100 lbs./sq. ft.) without the prior written approval of the Township.
3. Fencing may be erected, as approved by the Township, provided the Grantor or his successor is responsible for all costs associated with removal and/or reinstallation of the fencing if and when it becomes necessary for the Township to work within the easement.

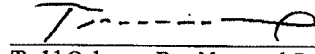
The GRANTOR promises that the GRANTOR has done no act to encumber the property. This promise is known as a "Covenant as to Grantor's Acts" (N.J.S.A. 46:4-6).

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal the day and the year first above-written.

WITNESS/ATTEST:



GRANTOR:

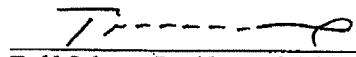

Todd Ochsner, President and Sole Officer

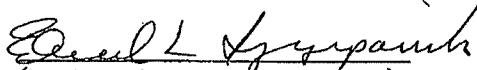
STATE OF NEW JERSEY)
COUNTY OF MIDDLESEX) SS:

I certify that on April ^{20th}, 2016, Todd Ochsner personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the **President and Sole Officer** of Block 6, Lot 37, Inc, the Corporation named in this Deed;
- (b) this person signed this instrument on behalf of the Company, in his capacity as President and Sole Officer of the Company;
- (c) this person is authorized to execute this instrument on behalf of the Company and the person executed this instrument as the true and voluntary act of the Company duly authorized by all necessary action by the Company;
- (d) the full and actual consideration paid or to be paid for the grant of easement is less than \$100.00.

Signed and sworn to before me
this day of April, 2016.


Todd Ochsner, President and Sole Officer


(Print Name of Notary Public below signature)

EDWARD L SZCZEPANIK
ID # 83749
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires March 1, 2019

RECORD & RETURN TO:

TODD D. GREENE, ESQUIRE
EIGHT NESHAMINY INTEREPLEX, SUITE 115
TREVOSE, PA 19053

SCHEDULE "A"





PLEASE REFER TO
OUR FILE NO.

HYR07430.05

732-462-7400
FAX # 732-409-0756

November 4, 2014
Revised October 14, 2015

**Description of Utility Easement #9
Part of Proposed Lot 37.01 in Block 6
Monroe Township, Middlesex County, New Jersey**

Description of a 30.00 foot wide strip of land being a portion of proposed Lot 37.01 in Block 6, situate, lying and being in the Township of Monroe, Middlesex County, New Jersey to be dedicated to the Township of Monroe for **Utility Easement** purposes and being more particularly bounded and described as follows:

BEGINNING at a point on the proposed northerly Right-of-Way line Bentley Road (33' foot wide Right-of-Way), said point being distant 163.01 feet the following two (2) courses from the most southeasterly corner of existing Lot 37 in Block 6 with the existing northerly line of Bentley Road and from said Point of BEGINNING running; thence,

- a) North 06° 24' 50" East, along the easterly line of existing Lot 37 in Block 6, a distance of 19.59 feet to a point; thence,
 - b) North 87° 11' 42" West, along the proposed northerly Right-of-Way line of Bentley Road, a distance of 143.42 feet to the Point and Place of BEGINNING and continuing; thence,
- 1) North 87° 11' 42" West, along the proposed northerly Right-of-Way line of Bentley Road, a distance of 30.00 feet to a point; thence,
 - 2) North 02° 48' 18" East, a distance of 63.28 feet to a point; thence,
 - 3) South 87° 11' 42" East, a distance of 30.00 feet to a point; thence,
 - 4) South 02° 48' 18" West, a distance of 63.28 feet to the Point and Place of BEGINNING.

Said described lands being subject to easements, restrictions and agreements of record and such facts as may be disclosed in a full and accurate Title Search.



Description of Utility Easement
Part of Proposed Lot 37.01-Block 6

Monroe Township, Middlesex County, New Jersey

HYR07430.05
November 4, 2014
Revised October 14, 2015
Page 2

Total Area of Utility Easement containing 1,899 square feet – 0.044 Acres of land.

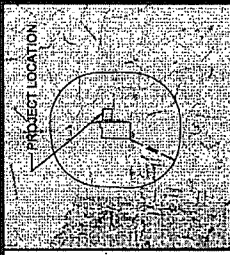
The Utility Easement as described herein being and intended to be the same property as depicted on a certain map entitled "Final Plat – East Tract, Preliminary/Final Major Subdivision – The Gateway Project, Block 4, Lots 10, 11.01 and 12.01; Block 5 Lot 14:01; Block 6 Lot 37, Township of Monroe, Middlesex County, New Jersey", as prepared by John J. Stefani, Professional Engineer and Land Surveyor for ESP Associates, 1460 Route 9 South, Howell, NJ 07731-1194, dated August 1, 2014, revised October 14, 2015. The aforementioned map to be filed at the Middlesex County Clerk's Office.

A handwritten signature in black ink, appearing to read "John J. Stefani", written over a horizontal line.

John J. Stefani, P.E., L.S.
Professional Engineer and Land Surveyor
N.J. License No. 24271

JJS:qtl:ls

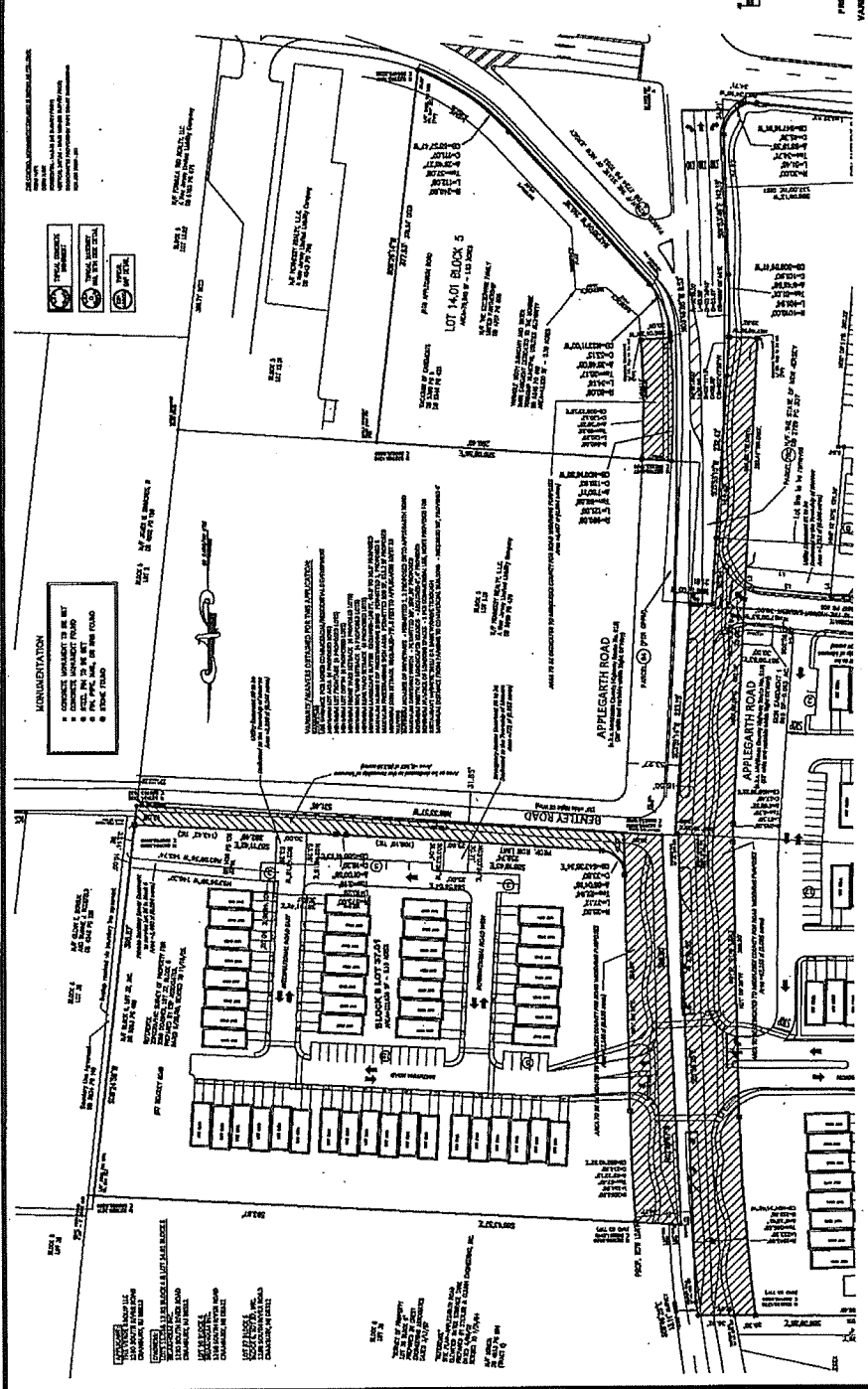
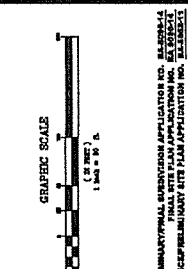
SCHEDULE "B"



PRELIMINARY TYPICAL SUBDIVISION APPLICATION NO. 18-00004
FINAL SITE PLAN APPLICATION NO. 18-00004
VARIOUS PRELIMINARY TYPICAL SUBDIVISION APPLICATIONS
WATER & SEWER APPLICATIONS

RURAL PLAT - EAST TRACT
PRIMARY AND RURAL BLOCK SUBDIVISION - THE GATEWAY PROJECT
BLOCK 4 LOTS 10,11,101,1201; BLOCK 5 LOT 1401;
BLOCK 6 LOT 37
TOWNSHIP OF MORRIS, MIDDLESEX COUNTY, NEW JERSEY

John Hall Stearns P.E., L.L.C.
 Professional Engineer
 2000 Morris Avenue, Suite 200
 Morris, New Jersey 07960
 Phone: 908-261-1111
 Fax: 908-261-1112
 www.johnhallstearns.com



NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY TYPICAL SUBDIVISION APPLICATION	12-11-13	JHS
2	FINAL SITE PLAN APPLICATION	08-14-18	JHS
3	FINAL SITE PLAN APPLICATION	08-14-18	JHS

SUBDIVISION STANDARDS ANALYSIS:

STANDARD	REQUIREMENT	PROPOSED	COMMENTS
1.1	MINIMUM LOT AREA	10,000 SQ. FT.	10,000 SQ. FT.
1.2	MINIMUM LOT WIDTH	100 FT.	100 FT.
1.3	MINIMUM FRONT YARD SETBACK	25 FT.	25 FT.
1.4	MINIMUM SIDE YARD SETBACK	10 FT.	10 FT.
1.5	MINIMUM REAR YARD SETBACK	10 FT.	10 FT.
1.6	MINIMUM FRONT SETBACK FROM ADJACENT LOT	5 FT.	5 FT.
1.7	MINIMUM SIDE SETBACK FROM ADJACENT LOT	5 FT.	5 FT.
1.8	MINIMUM REAR SETBACK FROM ADJACENT LOT	5 FT.	5 FT.
1.9	MINIMUM FRONT SETBACK FROM STREET	25 FT.	25 FT.
1.10	MINIMUM SIDE SETBACK FROM STREET	10 FT.	10 FT.
1.11	MINIMUM REAR SETBACK FROM STREET	10 FT.	10 FT.
1.12	MINIMUM FRONT SETBACK FROM SIDEWALK	5 FT.	5 FT.
1.13	MINIMUM SIDE SETBACK FROM SIDEWALK	5 FT.	5 FT.
1.14	MINIMUM REAR SETBACK FROM SIDEWALK	5 FT.	5 FT.
1.15	MINIMUM FRONT SETBACK FROM DRIVEWAY	5 FT.	5 FT.
1.16	MINIMUM SIDE SETBACK FROM DRIVEWAY	5 FT.	5 FT.
1.17	MINIMUM REAR SETBACK FROM DRIVEWAY	5 FT.	5 FT.
1.18	MINIMUM FRONT SETBACK FROM CURB	5 FT.	5 FT.
1.19	MINIMUM SIDE SETBACK FROM CURB	5 FT.	5 FT.
1.20	MINIMUM REAR SETBACK FROM CURB	5 FT.	5 FT.

STATE OF NEW JERSEY
 COUNTY OF MORRIS
 TOWNSHIP OF MORRIS

APPROVED FOR THE TOWNSHIP OF MORRIS

 TOWNSHIP ENGINEER

APPROVED FOR THE COUNTY OF MORRIS

 COUNTY ENGINEER

APPROVED FOR THE STATE OF NEW JERSEY

 STATE ENGINEER

NOTICE TO CONTRACTORS:
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE STATE OF NEW JERSEY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF THE STATE OF NEW JERSEY.