

**MONROE TOWNSHIP, MIDDLESEX COUNTY**

**ORDINANCE NO.: O-8-2023-023**

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AUTHORIZING THE TOWNSHIP OF MONROE TO ASSUME  
AN ACCESS EASEMENT TO LOT 21.04 ON LOT 21.02, BLOCK 60,  
ACCEPT THE DEDICATION OF LOTS 21.17 AND 21.18, IN BLOCK 60 FOR  
STORMWATER MANAGEMENT PURPOSES, AND ACCEPT DEEDS OF CONVEYANCE  
OF DRAINAGE AND ACCESS EASEMENTS FOR LOTS 21.17 AND 21.18 IN BLOCK 60**

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**WHEREAS**, Robert and Dorene McDaid applied for a Minor Subdivision with bulk variances for property identified as Block 60, Lot 21.15, also known as Majestic Woods Drive; and

**WHEREAS**, the Planning Board granted approval with the condition that an Access Easement be recorded and then conveyed to the Township of Monroe, as well as the condition that two of the three subdivided lots, Lots 21.17 and 21.18 in Block 60, contain stormwater basins, be dedicated to the Township of Monroe; and

**WHEREAS**, Robert and Dorene McDaid recorded a Deed of Access Easement on November 21, 2013 in the Deed Book OR-6521, Pages 136, also known as Instrument Number 201311210133; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-4(a) of the Local Lands and Buildings Law, a municipality is authorized to acquire any real property, or interests therein including easements, by duly adopted ordinance; and

**WHEREAS**, the Township of Monroe agrees to accept the Assignment and Assumption of Access Easement attached hereto as Exhibit "A"; and

**WHEREAS**, the Township of Monroe agrees to accept the Deed of Conveyance of Stormwater Lots attached hereto as Exhibit "B"; and

**WHEREAS**, Robert and Dorene McDaid have also prepared a Deed of Conveyance of Drainage and Access Easement for Lot 21.17 in Block 60 and a Deed of Conveyance of Drainage and Access Easement for Lot 21.18 in Block 60 for the purpose of conveying any remaining interest Robert and Dorene McDaid may have in existing drainage and access easements on said parcels. The Township of Monroe agrees to accept Deeds of Conveyance for said purpose.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Monroe as follows:

1. The Township of Monroe shall accept, execute, and record the Assignment and Assumption of Access Easement attached hereto as Exhibit "A".
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to execute the Access Easement.
3. The Township of Monroe shall accept the Deed of Conveyance of Stormwater Lots attached hereto as Exhibit "B"
4. The Township of Monroe shall accept, execute and record a Deed of Conveyance of Drainage and Access Easement for Lot 21.17 in Block 60 and a Deed of Conveyance of Drainage and Access Easement for Lot 21.18 in Block 60, subject to the review of the Township Attorney, for the purpose of conveying any remaining interest Robert and Dorene McDaid may have existing drainage and access easements on Lots 21.17 and 21.18 in Block 60.
5. The Mayor and Township Clerk are hereby authorized to sign, witness and execute any documents necessary to acquire the interests in the Property, subject to review by the Township Attorney.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be 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 in effect.

**BE IT FURTHER ORDAINED**, that any ordinance or parts thereof in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this ordinance shall take effect upon the passage and publication in accordance with applicable law.

**SO ORDAINED**, as aforesaid.

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MIRIAM COHEN, Council President

<b>RECORDED VOTE – INTRODUCTION – August 7, 2023</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Dipierro</b>		<b>X</b>	<b>X</b>			
<b>Councilman Markel</b>			<b>X</b>			
<b>Councilwoman Siegel</b>	<b>X</b>		<b>X</b>			
<b>Council V. President Van Dzura</b>			<b>X</b>			
<b>Council President Cohen</b>			<b>X</b>			

**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 August 7, 2023. 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 September 6, 2023 at 6:30 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

<b>RECORDED VOTE – SECOND READING &amp; FINAL ADOPTION – September 6, 2023</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Dipierro</b>						
<b>Councilman Markel</b>						
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<b>Council V. President Van Dzura</b>						
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**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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STEPHEN DALINA, Mayor

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