

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-11-2018-039

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AUTHORIZING THE GRANTING OF AN EASEMENT  
TO JERSEY CENTRAL POWER & LIGHT  
ON PROPERTY DESIGNATED AS BLOCK 48 LOT 3

**WHEREAS**, the Township of Monroe (“Township”) is the owner of property known and identified as Block 48, Lot 3 on the official tax map of the Township of Monroe (the “Property”); and

**WHEREAS**, the Township has entered into a contract with New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon”) to construct a telecommunications tower on the Property; and

**WHEREAS**, Jersey Central Power & Light (“JCP&L”) requires an easement on the Property to locate overhead, underground and ground level facilities as necessary for electric, CATV and communication purposes; and

**WHEREAS**, N.J.S.A. 40A:12-1 *et seq.* permits the conveyance of an interest in land not needed for public purposes; and

**WHEREAS**, the land subject to the easement is not needed for public purposes; and

**WHEREAS**, the Township Council, after consultation with its engineering and legal professionals, has determined that it is in the public interest to grant an easement on the Property to JCP&L and Verizon;

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

**SECTION 1.** The Mayor and Township Clerk are hereby authorized and directed to execute all documents necessary for the conveyance of an easement on Block 48, Lot 3 to JCP&L and Verizon, including the deed of easement set forth in Exhibit A attached hereto and made a part hereof.

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.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, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, 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 – November 7, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin		X	X			
Councilwoman Cohen	X		X			
Councilman Dipierro				X		
Council V. President Schneider			X			
Council President Dalina			X			

**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 November 7, 2018. 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 3, 2018 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

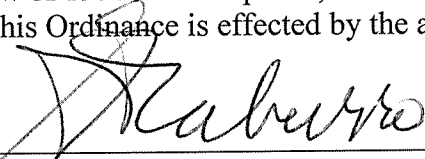
<b>RECORDED VOTE – SECOND READING &amp; FINAL ADOPTION– December 3, 2018</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Baskin</b>			X			
<b>Councilwoman Cohen</b>		X	X			
<b>Councilman Dipierro</b>				X		
<b>Council V. President Schneider</b>	X		X			
<b>Council President Dalina</b>			X			

**ORDINANCE NO.: O-11-2018-039**

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AUTHORIZING THE GRANTING OF AN EASEMENT  
TO JERSEY CENTRAL POWER & LIGHT  
ON PROPERTY DESIGNATED AS BLOCK 48 LOT 3**

**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: 12/4/18



## EASEMENT

The undersigned, TOWNSHIP OF MONROE whose address is 1 MUNICIPAL PLAZA MONROE NJ 08831 (the "Grantor"), is the owner of certain lands located in the Township of Monroe, County of Middlesex State of NJ, known and designated as Tax Block 48 , Lot 3 , and recorded in The Office of The Clerk of Middlesex County, on 1/14/1958, in Deed Book 2008 , page 482, referred to as the property.

Grantor, hereby grants and conveys to Grantee Jersey Central Power & Light Company and Verizon of New Jersey Inc., both New Jersey Corporations, (the "Grantee") for valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound, a permanent easement and uninterrupted right, from time to time, to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead, underground and ground level facilities described below (the "Facilities") as may be deemed necessary or convenient by Grantee for electric, CATV and communication purposes for the use and benefit of the Land and/or adjacent lands on, over, under and across along and beyond the property, the course of said facilities to run as follows:

Generally in a Northerly direction from Existing Pole JC 62996mnt located along the Northerly Side line of MONROE PLAZA AERIAL from existing pole (JC62996) +/- 20' to first new pole (#JC 206275A54392); thence entering lands of grantor traveling AERIAL from first new pole (#JC 206275A54392) to second new pole (#JC 206275A54391); in a Westerly direction a total distance of 150' ±, Thence traveling a distance of +/- 175' UNDERGROUND from second new pole (#JC 206275A54391) to new "pad-mounted" transformer (#206289A54387) located adjacent to compound. together with the necessary anchors & guys for the support of said pole line.

The Facilities may include, without limitation, poles (with or without crossarms), guy wires, guy stubs, anchors, street lights and standards, transformers, transformer pads, switching compartments, conduits, conductors, ducts, wires, cables, fibers, pedestals, terminal boxes, manholes, hand-holes and other related equipment and apparatus from time to time deemed necessary or convenient by Grantee to accomplish the above purpose.

Grantor gives full authority and unqualified right to the Grantee to trim, remove, clear, keep clear, and otherwise control (by such methods as Grantee, in its sole judgment, may deem necessary or proper, including but not limited to the use of herbicides) any and all trees, underbrush, or other vegetation located within the right of way. Grantee shall also have the full authority and right, in its sole discretion, to trim, remove, clear, keep clear, and otherwise control any or all trees or vegetation adjacent to said right of way, that, in the opinion of Grantee, may interfere or threaten to interfere with the construction, operation, maintenance, or repair of Grantee's Facilities or ingress or egress to, from, or along said right of way.

Grantor covenants not to construct, place, maintain or use structures of any kind, or plant shrubs or trees within eight feet of either side of the center line of the underground Facilities, if any, as installed, raise or lower the ground elevation of the land above or beneath the Facilities; grow beneath overhead Facilities any vegetation or trees, except farm crops or other compatible species identified by Grantee; or obstruct access to, remove structural support from, divert or impound water to or on, or otherwise interfere with, the Facilities.

The rights and obligations hereunder shall be binding upon and inure to the benefit of the Grantor and Grantee and their heirs, executors, administrators, successors and assigns, Licensees and Lessees, as the case may be.

TOWNSHIP OF MONROE

  
 \_\_\_\_\_  
 Mayor, Gerald W. Tamburro

Municipality

STATE OF New Jersey  
COUNTY OF Middlesex

I certify that on December 4, 2018, Gerald W. Tamburro as Mayor of TOWNSHIP OF MONROE personally appeared before me and acknowledged to my satisfaction that this person (or if more than one, each person) has the Legal Authority for the organization named within this instrument and being so authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the easement.

Christine Robbins  
Notary Public of New Jersey

My commission expires: 7/6/2020  
Dated: 12/4/18

County: Middlesex

Order #: 15297043

W/R#: 58603965

CHRISTINE M. ROBBINS  
NOTARY PUBLIC NEW JERSEY  
ID # 80013507  
My Commission Expires 7/6/2020

RECORD AND RETURN TO:  
JERSEY CENTRAL POWER AND LIGHT COMPANY  
RIGHT OF WAY DEPARTMENT  
P.O Box 1911  
MORRISTOWN, N.J. 07962-1911





# Township of Monroe


County of Middlesex

**PATRICIA REID**  
Township Clerk

Municipal Complex  
1 Municipal Plaza  
Monroe Township, NJ  
08831-1900  
Phone (732) 656-4573  
Fax (732) 521-3190

## Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on November 14, 2018.

  
\_\_\_\_\_  
Patricia Reid, Township Clerk

Ad Number: 0003250712

Run Dates: 11/14/18

**MONROE TOWNSHIP  
NOTICE OF PENDING  
ORDINANCE**

ORDINANCE NO.: O-11-2018-039

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED: "ORDINANCE AUTHORIZING THE GRANTING OF AN EASEMENT TO JERSEY CENTRAL POWER & LIGHT ON PROPERTY DESIGNATED AS BLOCK 48, LOT 3" has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on November 7, 2018 and will be further considered for final passage after a Public Hearing during the council meeting to be held on December 3, 2018 at 7:00 p.m. in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831. At said time and place, all persons will be granted the opportunity to be heard concerning this Ordinance prior to its consideration for adoption by Council.

The purpose of this Ordinance is to grant JCP&L an easement to locate overhead, underground and ground level facilities as necessary for electric, CATV and communication purposes on Block 48, Lot 3, the property where Verizon will be constructing a telecommunication tower.

The proposed Ordinance in its entirety can be viewed on the Township website, [www.monroetwp.com](http://www.monroetwp.com) and is on file in the Municipal Clerk's Office. Copies may be obtained without charge between the hours of 8:30am and 4:30pm. Monday through Friday.

Patricia Reid, Municipal Clerk  
(\$23.32)

0003250712-01



# Township of Monroe

County of Middlesex

**PATRICIA REID**  
Township Clerk

Municipal Complex  
1 Municipal Plaza  
Monroe Township, NJ  
08831-1900  
Phone (732) 656-4573  
Fax (732) 521-3190

### Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on December 7, 2018.

Patricia Reid, Township Clerk

Ad Number: 0003286256

Run Dates: 12/07/18

#### MONROE TOWNSHIP NOTICE OF FINAL ADOPTION

Notice is hereby given that the following entitled Ordinance was introduced and passed on First Reading at the regular meeting of the Monroe Township Council held on November 7, 2018. Furthermore, this Ordinance was adopted after a Public Hearing was held at the December 3, 2018 regular meeting of the Monroe Township Council at One Municipal Plaza, Monroe Township, N.J. 08831 and was thereafter approved and signed by the Mayor on December 4, 2018.

ORDINANCE NO.: O-11-2018-039

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL  
AUTHORIZING THE GRANTING OF AN EASEMENT  
TO JERSEY CENTRAL POWER & LIGHT  
ON PROPERTY DESIGNATED AS BLOCK 48 LOT 3

PATRICIA REID, R.M.C  
Monroe Township Municipal Clerk

(\$19.36)

0003286256-01