

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-6-2019-018

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ACCEPTING A DEED OF DRAINAGE EASEMENT
ON BLOCK 68 LOT 41.28

WHEREAS, there currently exists a stormwater drainage pipe below grade on property located at 49 Lower Matchaponix Avenue, also known as Block 68 Lot 41.28, on the official tax map of the Township of Monroe (the "Property"), which has collapsed in several areas creating sink holes on the Property; and

WHEREAS, the owners of the Property have requested that the Township remove the defective stormwater drainage pipe and replace it with a new stormwater drainage pipe in a different location, and have agreed to grant the Township a permanent easement for the newly-located pipe; and

WHEREAS, the Township Engineer has reviewed the metes and bounds description of the easement area attached to the deed and has found same to be in conformity with the plans and has recommended acceptance of the deed; and

WHEREAS, the Township Attorney has reviewed the deed and has found it to be legally sufficient;

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, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute all documents which are reasonably necessary to accept the deed conveying the drainage easement from the owners of the Property.

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 All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.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 – June 5, 2019						
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 June 5, 2019. 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 June 24, 2019 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.


PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– June 24, 2019						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro					X	
Council V. President Schneider		X	X			
Council President Dalina			X			

ORDINANCE NO.: O-6-2019-018

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
ACCEPTING A DEED OF DRAINAGE EASEMENT
ON BLOCK 68 LOT 41.28**

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: 6/25/19

PREPARED BY:

Sarah E. Fitzpatrick, Esq.

DRAINAGE EASEMENT

THIS DRAINAGE EASEMENT, is made this 25th day of JUNE, 2019, by and between JAMES A. NETO and MARIA T. NETO, husband and wife, whose address is 49 Lower Matchaponix Avenue, Monroe Township, New Jersey, hereinafter referred to as "Grantors" and the TOWNSHIP OF MONROE, whose address is 1 Municipal Plaza, Monroe Township, New Jersey, hereinafter referred to as "Grantee."

W I T N E S S E T H

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, receipt of which is hereby acknowledged, the Grantors do hereby grant, transfer and convey unto the Grantee, its successors and assigns, a permanent open and unobstructed drainage easement, which consists of a strip of land of .077 acres (the "Easement Area"), being a part of Lot 41.28 in Block 68 on the Tax Map of the Township of Monroe, hereinafter referred to as "the Property." The Easement Area is described on SCHEDULE "A," annexed hereto and made a part hereof.

SAID PERMANENT EASEMENT shall and is intended to provide access in perpetuity over and across the Grantors' property as described herein for the purpose of installing and

maintaining drainage facilities and necessary improvements related thereto for storm water drainage purposes. Said permanent easement, including the benefits and burdens, are binding upon and inure to the benefit of all persons owning or claiming any interest in the Property, and shall be deemed to run with the land and shall not be severed from the land which is benefited by same.

THE PURPOSE AND INTENTION of this permanent easement is to provide the Grantee, its successors and assigns, the right to construct, connect, use and maintain stormwater/drainage facilities and related structures under and on the premises. The Grantee, its successors and assigns, shall have the right to install storm water drainage pipe below grade within the easement area. The Grantee shall be obligated to restore, stabilize and seed all areas disturbed on the Property and to replace any plants or trees which are damaged during the installation, maintenance or repair of any structures within the Easement Area.

The improvements to be installed within the Easement Area are depicted on SCHEDULE "B," annexed hereto and made a part hereof.

GRANTORS also hereby grant, transfer and convey unto the Grantee an access easement on, over, under and across the Property for the purpose of removing the existing storm water pipe. The Grantee shall be obligated to restore, stabilize and seed all areas disturbed on the Property and to replace any plants or trees which are damaged during removal of the existing storm water pipe on the Property.

GRANTORS covenant that they are lawfully seized of the Property and have the full right and power to execute and grant to the Grantee the easement as aforesaid.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day

Schedule A

DESCRIPTION OF DRAINAGE EASEMENT SITUATED IN TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NEW JERSEY

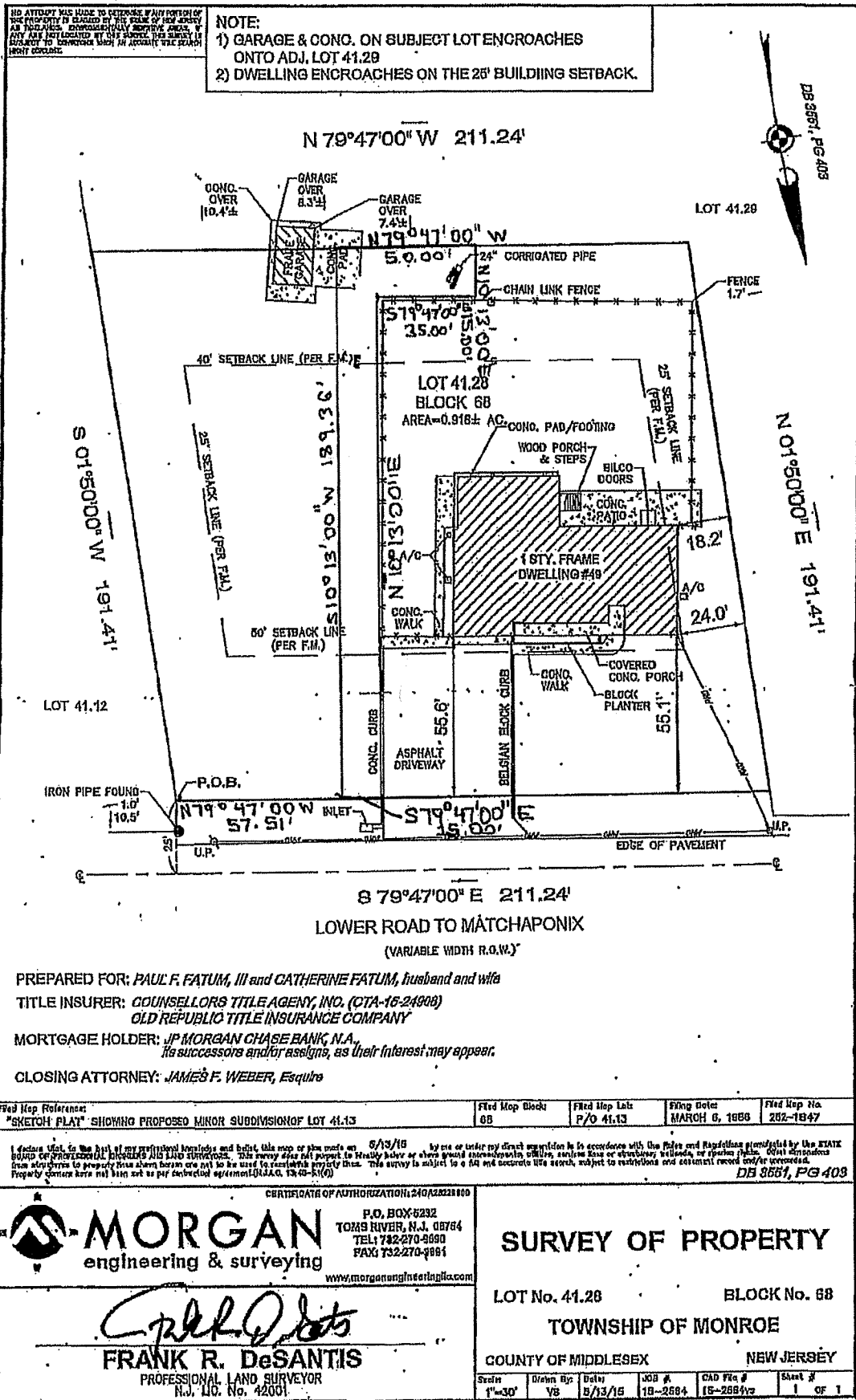
Being a 3,365.47 SF strip of land, situate, lying and being in Monroe Township, Middlesex County, New Jersey, more particularly bounded and described as follows:

Beginning at a point along the southerly ROW line of Matchaponix Avenue, said point being N 79° 47' 00" W, a distance of 57.51' from the northeasterly corner of Lot 41.28, Block 68 and the southerly ROW line of Lower Matchaponix Avenue (Variable width ROW), to Point of Beginning;

1. S 10° 13' 00" W, a distance of 189.36' to the southern line of lot 41.28, thence;
2. N 79° 47' 00" W, a distance of 50.00' to a point, thence;
3. N 10° 13' 00" E, a distance of 15.00' to a point, thence;
4. S 79° 47' 00" E, a distance of 35.00' to a point, thence;
5. N 10° 13' 00" E, a distance of 174.36' to a point, thence;
6. S 79° 47' 00" E, a distance of 15.00' to the intersection of Lower Matchaponix Avenue and place of beginning.

The above strip of land contains 3,365.47 SF or 0.077 acres.

Schedule B



PREPARED FOR: PAUL F. FATUM, III and CATHERINE FATUM, husband and wife
 TITLE INSURER: COUNSELLORS TITLE AGENCY, INC. (OTA-16-24908)
 OLD REPUBLIC TITLE INSURANCE COMPANY
 MORTGAGE HOLDER: JP MORGAN CHASE BANK, N.A.,
 its successors and/or assigns, as their interest may appear.
 CLOSING ATTORNEY: JAMES F. WEBER, Esquire

Filed Map Reference: "SKETCH PLAN" SHOWING PROPOSED MINOR SUBDIVISION OF LOT 41.13	Filed Map Block: 68	Filed Map Lot: P/O 41.13	Filed Date: MARCH 6, 1988	Filed Map No. 202-1847
---	------------------------	-----------------------------	------------------------------	---------------------------

I declare that in the full of my professional knowledge and belief, this map or plan was on 6/3/15 by me or under my direct supervision in accordance with the rules and regulations promulgated by the STATE BOARD OF PROFESSIONAL LAND SURVEYORS. This survey was not prepared in whole or in part by a student or other person under my direct supervision, control, review or approval, or under my direct supervision. I am a duly licensed and active member of the State Board of Professional Land Surveyors. This survey is subject to a full and accurate title search, subject to restrictions and conditions recorded on file hereon. Property corners have not been set as per contractual agreement (D.L.A.C. 13-02-51(1))

CERTIFICATE OF AUTHORIZATION: 240A2823100

MORGAN
 engineering & surveying
 P.O. BOX 6232
 TOMS RIVER, N.J. 08784
 TEL: 732-270-8880
 FAX: 732-270-8881
 www.morganengineering.com

Frank R. DeSantis
FRANK R. DeSANTIS
 PROFESSIONAL LAND SURVEYOR
 No. Lic. No. 42001

SURVEY OF PROPERTY

LOT No. 41.28 BLOCK No. 68

TOWNSHIP OF MONROE

COUNTY OF MIDDLESEX NEW JERSEY

Scale: 1"=30'	Drawn By: YS	Date: 5/13/15	JOB #: 18-2684	CAD File #: 15-2884/1a	Sheet #: 1 OF 1
------------------	-----------------	------------------	-------------------	---------------------------	--------------------

19-006



Township of Monroe


County of Middlesex

PATRICIA REID
Township Clerk

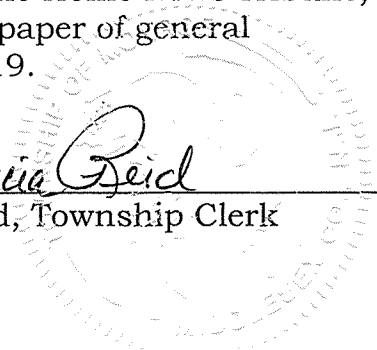
Municipal Complex
1 Municipal Plaza
Monroe Township, NJ
08831-1900
Phone (732) 656-4573
Fax (732) 521-3190

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 June 11, 2019.



Patricia Reid, Township Clerk



Ad Number: 0003618950

Run Dates: 06/11/19

MONROE TOWNSHIP NOTICE OF PENDING ORDINANCE

ORDINANCE NO.: O-6-2019-018

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED "ORDINANCE ACCEPTING DEED OF DRAINAGE EASEMENT FROM JAMES AND MARIA NETO, BLOCK 68, LOT 41.28" has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on June 5, 2019 and will be further considered for final passage after a Public Hearing during the council meeting to be held on June 24, 2019 at 6:30 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 accept a deed of drainage easement from James and Maria Neto on Block 68, Lot 41.28, which will grant the Township a permanent easement where a new stormwater drainage pipe will be installed.

The proposed Ordinance in its entirety can be viewed on the Township website, 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
(\$24.64)

0003618950-01



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 June 28, 2019.



Patricia Reid, Township Clerk

Customer: MONROE TOWNSHIP CLERKS OFFICE

Ad No.: 0003654250

Address: 1 MUNICIPAL PLZ
MONROE TOWNSHIP NJ 08831
USA

Pymt Method Invoice

Net Amt: \$16.72

Run Times: 1

No. of Affidavits: 0

Run Dates: 06/28/19

Text of Ad:

MONROE TOWNSHIP, MIDDLESEX COUNTY
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 June 5, 2019. Furthermore, this Ordinance was adopted after a Public Hearing was held at the June 24, 2019 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 June 25, 2019.

ORDINANCE NO.: O-6-2019-018

"ORDINANCE ACCEPTING A DEED OF DRAINAGE
EASEMENT ON BLOCK 68, LOT 41.28"

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

(\$16.72)

0003654250-01