

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-9-2023-024

ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE  
TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT  
400 SPOTSWOOD-GRAVEL HILL ROAD  
KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP

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**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

**WHEREAS**, the Dixitkumar B. Patel and Jinal B. Patel (the “Grantors”) are the owners of that certain parcel of land identified on the Township of Monroe’s (the “Township”) Official Tax Map as Block 76, Lot 6.02 (hereinafter referred to as the “Property”); and

**WHEREAS**, the Township seeks to acquire an easement in perpetuity for the purpose of dedicating a right-of-way consisting of a portion of the property along the property’s frontage for road widening (the “Easement”); and

**WHEREAS**, the Grantor has executed a Deed of Right-of-Way Dedication providing the Township with a right-of-way easement in the property as described in the Deed of Right-of-Way Dedication appended hereto as Attachment A; and

**WHEREAS**, the Township Attorney and Township Engineer have reviewed the aforementioned Deed of Right-of-Way Dedication and agreed that it is in the best interests of the Township to acquire the right-of-way and accept a Deed of Right-of-Way Dedication in a form substantially similar to the form attached hereto as Attachment A, subject to the review of the Township Attorney.

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

1. The Mayor and Clerk are hereby authorized to accept the Deed of Right-of-Way Dedication in substantially the form appended hereto as Attachment A, subject to the review of the Township Attorney, which sets forth the terms and conditions pertaining to the Right-of-Way dedication, and all documents necessary for the acceptance.
2. If any section or provision of this Ordinance shall be held to be invalid by any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance.
3. All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.


**SO, ORDAINED** as aforesaid.

  
\_\_\_\_\_  
MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – September 6, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro					X	
Councilman Markel			X			
Councilman Siegel		X	X			
Council V. President Van Dzura	X		X			
Council President Cohen			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 September 6, 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 October 2, 2023 at 6:30 p.m. 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 – October 2, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro					X	
Councilman Markel		X	X			
Councilman Siegel			X			
Council V. President Van Dzura	X		X			
Council President Cohen			X			


**MONROE TOWNSHIP, MIDDLESEX COUNTY**

**ORDINANCE NO.: O-9-2023-024**

**ORDINANCE AUTHORIZING THE TOWNSHIP OF MONROE  
 TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT  
 400 SPOTSWOOD-GRAVEL HILL ROAD  
 KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP**

**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.

  
 \_\_\_\_\_  
 STEPHEN DALINA, Mayor

Date signed: 10/3/2023

**ATTACHMENT A**  
(Deed of Right-of-Way Dedication)

**DEED OF RIGHT-OF-WAY DEDICATION**

Prepared by:

  
RONALD H. GORDON, ESQ.

This Deed is made on <sup>JUNE</sup> ~~May~~ 24<sup>th</sup>, 2023

**BETWEEN**

**DIXITKUMAR B. PATEL and JINAL B. PATEL**, husband and wife,  
whose address is 400 Spotswood-Gravel Hill Road Monroe Township, New Jersey 08831  
referred to as the Grantor,

**AND**

**MONROE TOWNSHIP**, a New Jersey Municipality of Middlesex County  
whose post office address is 1 Municipal Plaza, Monroe Township New Jersey 08831  
referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**Transfer of Ownership.** The Grantor grants and conveys (a dedication of) the property described below to the Grantee. This transfer is made for the sum of One Dollar (\$1.00).

The Grantor acknowledges receipt of this money.

**Tax Map Reference.** Municipality of Monroe Township a portion of  
Block No. 76                      Lot No. 6.02                      Account No.

— No property tax identification number is available on the date of this deed.

**Property.** The property consists of the land and all buildings and structures on the land in the Township of Monroe, County of Middlesex and State of New Jersey. The legal description is:

**THOMAS M. ERNST  
& ASSOCIATES, INC.**

Professional Land Surveyors & Planners

Mail to:

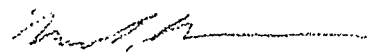
P. O. Box 221 • Jamesburg, NJ 08831  
Office: (732) 251-1001 • Fax: (732) 251-9470  
website: [www.tmernstlandsurveyors.com](http://www.tmernstlandsurveyors.com)

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**DEED DESCRIPTION PROPOSED ROAD WIDENING LOT 6.02  
BLOCK 76  
TOWNSHIP OF MONROE MIDDLESEX COUNTY NEW  
JERSEY**

Beginning at a point in the centerline of Spotswood - Gravel Hill Road being the northwesterly corner of the whole of the whole property of 9.5 acres formerly belonging to Thomas Caprio in Deed Book 2705, Page 1065, and running thence;

- 1) N 83°-00'-00" E            27.24' to a point in the widened easterly line of Spotswood- gravel Hill Road being distant easterly 27' from the centerline thereof, and running thence;
- 2) Along the widened easterly line of Spotswood - Gravel Hill Road  
S 00°-40'-00" W            145.67' to a point, thence;
- 3) S 90°-00'-00" W            27.00' to a point in the centerline of Spotswood- Gravel Hill Road, thence;
- 4) Along the centerline of Spotswood- Gravel Hill Road  
N 00°-40'-00" E            142.35' to the point and place of beginning.



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**MICHAELS. LYNCH  
PROFESSIONAL LAND SURVEYOR  
NEW JERSEY LIC. # 35382**

457 Spotswood Englishtown Road • Monroe, NJ 08831

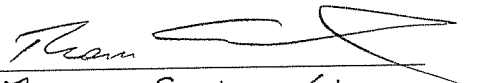
see attached schedule A

The purpose of this deed is to dedicate a right of way consisting of a portion of the property along the frontage of the subject property for road widening purposes to effectuate certain conditions of approval of the Zoning Board of the Township of Monroe contained in the Resolution adopted on February 25, 2020 bearing Docket No.: BA- 5180-19 and is subject to all restrictions and conditions contained therein. The dedication shall include the right of the Grantee to: construct, relocate, etc., a roadway, curbs, sidewalks, street lights, stormwater facilities, ditches, clear, construct slope, grade, fill, topsoil, seed, plant trees, shrubs and maintain same, stabilize soil, prevent erosion etc., install, relocate and/or maintain utilities; and to grant such rights to third parties.

**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

**Signatures.** The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

  
Thomas Sacharanski

BY:   
DIXITKUMAR B. PATEL

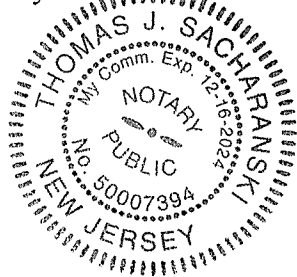
BY:   
JINAL B. PATEL


STATE OF NEW JERSEY, COUNTY OF MIDDLESEX SS.:

I CERTIFY that on ~~May~~ <sup>JUNE</sup> 24<sup>th</sup>, 2023

**DIXITKUMAR B. PATEL**, personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (1) was the maker of this Deed;
- (2) executed this Deed as his own act; and
- (4) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title or realty evidenced by the within deed, as such consideration is defined in N.J.S.A. 46:15-5.



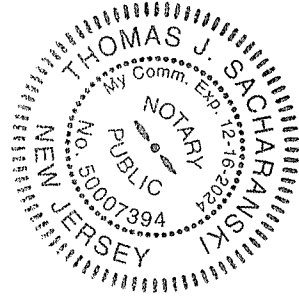


STATE OF NEW JERSEY, COUNTY OF MIDDLESEX SS.:

I CERTIFY that on <sup>June</sup>~~May~~ 24<sup>th</sup>, 2023

**JINAL B. PATEL**, personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (1) was the maker of this Deed;
- (2) executed this Deed as his own act; and
- (3) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title or realty evidenced by the within deed, as such consideration is defined in N.J.S.A. 46:15-5.



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



# Township of Monroe

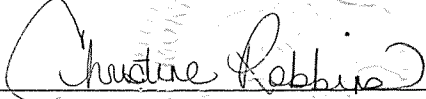
County of Middlesex

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, Christine Robbins, Deputy 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 September 13, 2023.

  
Christine Robbins, Deputy Township Clerk

### MONROE TOWNSHIP NOTICE OF PENDING ORDINANCE

ORDINANCE NO.: O-9-2023-024

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED: "ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT 400 SPOTSWOOD GRAVEL HILL ROAD KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP", has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on September 6, 2023 and will be further considered for final passage after a Public Hearing during the council meeting to be held on October 2, 2023 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 authorize the Township to acquire a right-of-way dedication over a portion of the property's frontage located at 400 Spotswood Gravel Hill Road, Block 76, Lot 6.02 for the purpose of road widening.

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 9:30am and 4:30pm, Monday through Friday.  
Patricia Reid, Municipal Clerk



# 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, Christine Robbins, Deputy 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 October 6, 2023.



Christine Robbins, Deputy Township Clerk

### 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 September 6, 2023. Furthermore, this Ordinance was adopted after a Public Hearing was held at the October 2, 2023 meeting of the Monroe Township Council which was held in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831 and was thereafter approved and signed by the Mayor on October 3, 2023.

### MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: 0-9-2023-024

"ORDINANCE OF THE MONROE TOWNSHIP COUNCIL AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY DEDICATION OVER PROPERTY AT 400 SPOTSWOOD GRAVEL HILL ROAD KNOWN AS BLOCK 76, LOT 6.02 ON THE TOWNSHIP OF MONROE TAX MAP"

CHRISTINE ROBBINS, R.M.C  
Monroe Township Deputy Municipal Clerk  
(\$21.06)