

BOROUGH OF EATONTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN EASEMENT ON A PORTION OF THE PROPERTY
DESIGNATED ON THE BOROUGH'S OFFICIAL TAX MAP AS BLOCK 401, LOT 19

WHEREAS, under N.J.S.A. 40A:12-5, (the "Local Land and Building Law") the Borough of Eatontown (the "Borough") is authorized to acquire real property by purchase or gift, upon the adoption of an ordinance to authorize the acquisition of the real property; and

WHEREAS, pursuant to a Municipal Services Agreement previously approved by the Borough Council, Lakeview Townhomes at Eatontown, LLC ("Lakeview Townhomes"), the owner of real property commonly known as 74 Tinton Avenue, Eatontown New Jersey, designated as Block 401, Lot 19 on the Borough's Official Tax Map (the "Property") agreed to convey an easement to the Borough as shown on the Map attached hereto as **Exhibit A** (the "Easement").

WHEREAS, Lakeview Townhomes desires to convey and the Borough desires to accept the Easement for the consideration noted in the Municipal Services Agreement; and

WHEREAS, the Borough Council finds it to be in the best interests of the Borough and its residents to implement the acceptance of the Easement which must be accomplished through the adoption of an ordinance under the Local Land and Buildings Law; and .

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Eatontown, County of Monmouth and State of New Jersey, that it hereby authorizes the acceptance of a 236 ft. x 10 ft. easement from Lakeview Townhomes at Eatontown, LLC on the property designated at Block 401, Lot 19 on the Borough's Official Tax Map, and the Mayor is hereby authorized to execute all documents necessary to effectuate the acceptance the Easement.

IT IS FURTHER ORDAINED, that the Borough Engineer is authorized to survey the easement to prepare a metes and bound legal description to be appended to the easement for recording.

IT IS 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 provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

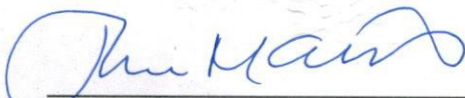
IT IS FURTHER ORDAINED that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

IT IS FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Date INTRODUCED: October 13, 2021
Date ADOPTED: December 8, 2021

ATTEST:

APPROVED:



Julie Martin, RMC, Municipal Clerk
Date: 12/9/2021



Anthony Talerico, Jr., Mayor