

**AN ORDINANCE AUTHORIZING PERMANENT WATER UTILITY EASEMENTS
OVER A PORTION OF THE PROPERTY KNOWN AS 1980 ROUTE 1,
NORTH BRUNSWICK, NEW JERSEY,
ALSO KNOWN AS BLOCK 148, LOT 35.01 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF NORTH BRUNSWICK, MIDDLESEX COUNTY,
STATE OF NEW JERSEY**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of North Brunswick is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

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

WHEREAS, the Township of North Brunswick has determined that it would serve a public purpose for it to acquire two (2) permanent water utility easements comprising approximately 5,514 square feet (5,144 SF) and 4,123 square feet (4,123 SF), over, upon, through, under and across a portion of the property known as 1980 Route 1, North Brunswick, New Jersey, also known as Block 148, Lot 35.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey, (the “Easements”) as further described on legal descriptions entitled “Proposed 15’ Wide Utility Easement ‘A’ Across a Portion of Existing Elizabeth Street to be Vacated and Annexed to Lot 35.01, Block 148” and “Proposed 15’ Wide Utility Easement ‘B’ Across a Portion of Lot 35.01, Block 148” both situated in the Township of North Brunswick, County of Middlesex, State of New Jersey,” prepared by Control Point Associates, Inc. and dated April 16, 2021, attached hereto and made a part hereof, and a map entitled, “Exhibit Sketch – Proposed Utility Easements Block 148, Lot 35.01, 1980 Route 1, Township of North Brunswick, Middlesex County, New Jersey, prepared by Control Point Associates, Inc., dated April 19, 2021, with no revisions, attached hereto and made a part hereof, in order to preserve the health, safety and welfare of the citizens of the Township of North Brunswick; and

WHEREAS, the owners of the property comprising the Easements, 1980 U.S. Hwy 1 LLC, have agreed to grant and convey said Easements to the Township of North Brunswick for minimal compensation therefor.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that the acquisition of a permanent water utility easements over, upon, through, under and across a portion of the property known as 1980 Route 1, North Brunswick, New Jersey, also known as Block 148, Lot 35.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey, for minimal compensation, be and is hereby authorized and approved; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to execute and witness, respectively, the Deed of Easement granting such permanent easement, a copy of which is attached hereto, or any other documents necessary to effectuate the acquisition of such permanent easement; and

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 adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

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

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the Ordinance Acquiring Permanent Water Utility Easements over a portion of 1980 Route 1, North Brunswick, New Jersey, also known as Block 148, Lot 35.01 on the Official Tax Map of the Township of North Brunswick, Middlesex County, State of New Jersey.

Michael C. Hritz
Director of Community Development

Justine Progebin
Business Administrator

Ronald H. Gordon, Township Attorney
(Approved as to legal form)

RECORDED VOTE FIRST READING – FEBRUARY 22, 2022

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
SOCIO				
DAVIS				
MAYOR WOMACK				

RECORDED VOTE SECOND READING – MARCH 7, 2022

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MEHTA				
LOPEZ				
GUADAGNINO				
ANDREWS				
SOCIO				
DAVIS				
MAYOR WOMACK				

CERTIFICATION

I hereby certify that the above Ordinance was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on March 7, 2022.

Lisa Russo, Township Clerk

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

- APPROVED
- REJECTED

Francis M. Womack III, Mayor
Township of North Brunswick

Date signed: _____, 2022