

**AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE  
RIGHTS OF THE TOWNSHIP OF NORTH BRUNSWICK IN A SEWER EASEMENT  
LOCATED ON LOT 7, BLOCK 1, IN THE CITY OF NEW BRUNSWICK,  
MIDDLESEX COUNTY, STATE OF NEW JERSEY**

**WHEREAS**, the Township of North Brunswick maintains a sanitary sewer easement and a temporary construction easement (the 'Easement(s)') on a portion of property in the City of New Brunswick, County of Middlesex, State of New Jersey, which is legally described on the official Tax Map of the City of New Brunswick as Block 321 Lot 8.04 (the 'Property'), also known as 695 Joyce Kilmer Avenue; and

**WHEREAS**, the Township has determined that the Easements are no longer needed for municipal purposes and are of no use to the Township; and

**WHEREAS**, it has been determined by the Township Council, after due investigation and consideration as follows:

- (1) that the Easement(s) described herein are no longer necessary because sewers were never constructed on or around the Property; and
- (2) that it is in the best interest of the general public and the City of New Brunswick that any public easements, right and interest in and to the Property shall be vacated, released and extinguished;

**WHEREAS**, the original Declaration of Taking for the temporary construction easement and permanent sewer easement dated March 10, 1981, is filed with the Middlesex County Clerk in Book 3231 Page 907;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of North Brunswick, Middlesex County, State of New Jersey, that all public rights and interests to the temporary construction easement and the permanent sewer easement on a portion of the property described on the official Tax Map of the City of New Brunswick as Block 321 Lot 8.04, also known as 695 Joyce Kilmer Avenue, are hereby vacated, released and extinguished.

**BE IT FURTHER ORDAINED**, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that 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 Releasing, Extinguishing and Vacating the Rights of the Township of North Brunswick in a Sewer Easement located on Block 321 Lot 8.04 in the City of New Brunswick

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Michael C. Hritz  
Director of Community Development

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Steve Bloyed  
Acting Director of Public Works

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Justine Progebin  
Business Administrator

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

**RECORDED VOTE FIRST READING: JULY 31, 2023**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

**RECORDED VOTE SECOND READING: SEPTEMBER 5, 2023**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
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 September 5, 2023.

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Lisa Russo, Township Clerk

**EFFECTIVE DATE**

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

- APPROVED
- REJECTED

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Francis M. Womack III, Mayor  
Township of North Brunswick

Date Signed: \_\_\_\_\_, 2023

**ATTACHMENT A**