

ORDINANCE NO. 2024-03

ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERMANENT EASEMENT ON A PORTION OF BLOCK 291.07, LOT 18, 16 OAK LANE, FROM JOSHUA T. HUFF, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)

WHEREAS, Joshua T. Huff, Grantor, is the owner of Block 291.07, Lot 18 (the “Property”); and

WHEREAS, the Township (Grantee) desires a permanent easement upon the Property to construct, use, maintain and/or replace a public sidewalk and related infrastructure; and

WHEREAS, Township requires a permanent easement on Grantor’s Property to construct, use, maintain and/or replace a public sidewalk and related infrastructure; and

WHEREAS, said project is part of the Oak Avenue Pedestrian Safety Improvement Project; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) authorizes the Township to acquire an interest in real property by ordinance; and

WHEREAS, the Township of Little Egg Harbor desires to acquire a permanent easement along a portion of Block 291.07, Lot 18, also known as 16 Oak Lane from Joshua T. Huff for the purpose to construct, use, maintain and/or replace a public sidewalk and related infrastructure upon Grantor’s Property.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

SECTION 1. That in accordance with the provisions of N.J.S.A. 40A: 12-5(a)(1), the governing body does hereby authorize the acquisition of a Permanent Easement, attached hereto and made a part hereof as Schedule A, and is subject to approval of form by the Township Attorney and the Township Engineer.

r|m|s|h|c

Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW

98 East Water Street
Toms River, NJ 08753

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SECTION 2. That the Mayor and Township Clerk are hereby authorized to execute any and all documents necessary for the acquisition of a Permanent Easement along a portion of Block 291.07, Lot 18, also known as 16 Oak Lane from Joshua T. Huff.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 13th day of **June, 2024**, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 11th day of **July, 2024**, at **7:30 p.m.** at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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KELLY LETTERA, CMC, RMC

Township Clerk

Township of Little Egg Harbor

Blaise Scibetta, MAYOR

overgrowth, structures and other obstructions upon said right-of-way, together also with the right of entry upon the Grantor's said lands for all the purposes as aforesaid.

The Grantor hereby covenants with the Grantee that the Grantor is lawfully seized and possessed of the real estate above described and that Grantor has a good and lawful right to convey it or any part thereof.

IN WITNESS WHEREOF, the said Grantor have hereunto set their hands and seal the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____ By: _____, Grantor
JOSHUA T. HUFF

STATE OF _____, COUNTY OF _____ SS:
I CERTIFY that on _____, 2024,

_____ personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):
(a) was the maker of the attached instrument; and
(b) executed this instrument as his or her own act.

(print name and title below signature)

RECORD AND RETURN TO:
Melanie Szuba Appleby, Esq.
Rothstein, Mandell, Strohm, Halm & Cipriani, PA
98 E. Water Street
Toms River, NJ 08753

rmshc
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EXHIBIT A

LEHT-01931

MAY 17, 2024

DESCRIPTION OF SIDEWALK EASEMENT, PORTION OF LOT 18 IN BLOCK 291.07, LITTLE EGG HARBOR TOWNSHIP, OCEAN COUNTY, NEW JERSEY

All that certain easement parcel of land being a portion of Lot 18 in Block 291.07 located in Little Egg Harbor Township, County of Ocean, New Jersey being hereby established as a sidewalk easement as shown on the attached exhibit map entitled, "TOWNSHIP OF LITTLE EGG HARBOR, PEDESTRIAN SAFETY IMPROVEMENTS TO OAK LANE, TOWNSHIP OF LITTLE EGG HARBOR, OCEAN COUNTY, NEW JERSEY, EXHIBIT MAP SHOWING SIDEWALK EASEMENT, PORTION OF LOT 18 IN BLOCK 291.07," prepared by Michael S. Finnegan, P.L.S., T&M Associates, dated May 17, 2024. Said sidewalk easement being more particularly described as follows:

BEGINNING at a point on the existing easterly right-of-way (R.O.W.) line of Oak Lane (variable width R.O.W.), said point being the intersection of said R.O.W line with the common property boundary line of Lot 18 with Lot 17 in Block 291.07 and running thence:

1. North 04 degrees 34 minutes 31 seconds East, along the existing easterly R.O.W. line of Oak Lane, a distance of 75.00 feet to a point; thence
2. South 85 degrees 25 minutes 29 seconds East, along the common property boundary line of Lot 18 with Lot 21 in Block 291.07, a distance of 8.62 feet to a point; thence.
3. South 06 degrees 51 minutes 53 seconds West, along the sidewalk easement line being hereby established, as shown on the aforesaid map, a distance of 75.06 feet to a point; thence.
4. North 85 degrees 25 minutes 29 seconds West, along the common property boundary line of Lot 18 with Lot 17 in Block 291.07, a distance of 5.62 feet to the point and place of BEGINNING.

Containing 534 Square Feet in area.

It being the intention to describe all that sidewalk easement located over a portion of Lot 18 in Block 291.07 being hereby established. Said sidewalk easement shall include the permanent right to construct, maintain and replace sidewalk and related infrastructure located or about to be located along and within said easement area.

The aforementioned *Exhibit Map* is made part of this description and is attached hereto as Schedule "B."

SUBJECT, HOWEVER, to any easements, recorded or unrecorded, affecting the herein described premises;



Description Prepared by:

T&M ASSOCIATES

MICHAEL S. FINNEGAN, P.L.S.
LIC. NO. GS34851



G:\Projects\LEHT\01931\Right of Way\Descriptions\LEHT-01931 - Sidewalk Easement Description Portion of LT 18 BL 291.07.docx

EXHIBIT B

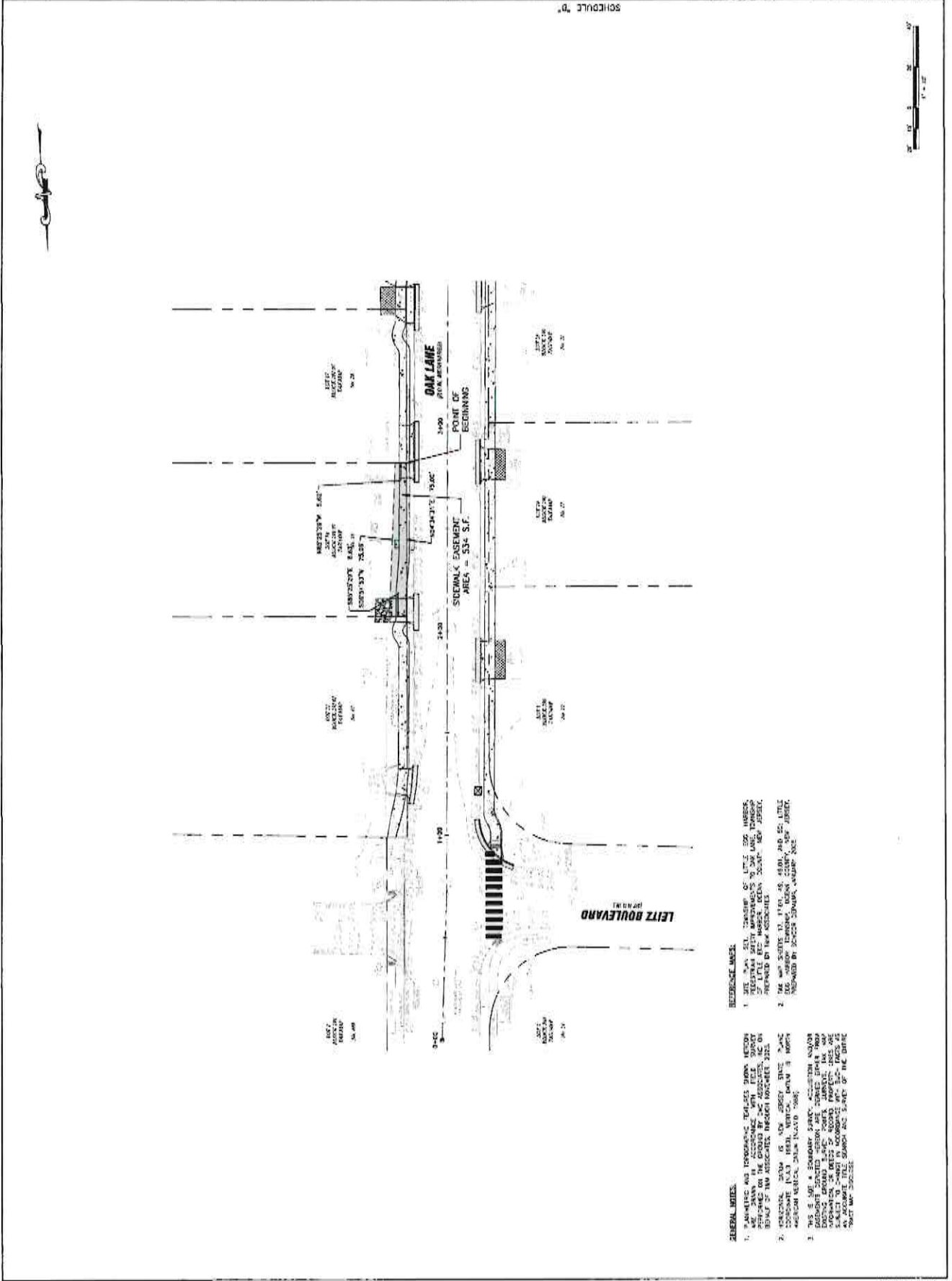
MICHAEL S. FINEGAN P.L.L.C.
CITY OF MARSHFIELD

TOWNSHIP OF LITTLE LAKE TOWN BOARD
RESOLUTION NO. 18-01
DATE: 11/15/18

PEDESTRIAN SAFETY IMPROVEMENTS TO OAK LANE
TOWNSHIP OF LITTLE LAKE TOWN BOARD RESOLUTION NO. 18-01

EXHIBIT MAP SHOWING SIDEWALK EASEMENT
PORTION OF LOT 18 IN BLOCK 291.07

PROJECT NO: ESMT-01
SHEET NO: 1
SCALE: AS SHOWN
DATE: 11/15/18



GENERAL NOTES:

- ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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REFERENCE MAPS:

- THE TOWNSHIP OF LITTLE LAKE MAPS AND RECORDS FOR THE TOWNSHIP OF LITTLE LAKE, WISCONSIN, SHOWING THE LOCATION OF THE SIDEWALK EASEMENT AREA.
- THE TOWNSHIP OF LITTLE LAKE MAPS AND RECORDS FOR THE TOWNSHIP OF LITTLE LAKE, WISCONSIN, SHOWING THE LOCATION OF THE SIDEWALK EASEMENT AREA.