

## **ORDINANCE 2015-13**

### **ORDINANCE OF THE TOWNSHIP OF WANTAGE, COUNTY OF SUSSEX AND STATE OF NEW JERSEY APPROVING ACQUIRING A DRAINAGE EASEMENT AT 102 SOUTH SHORE DRIVE (BLOCK 76, LOT 9) AND AT 61 ALDEN TERRACE (BLOCK 76, LOT 24) AND RATIFYING AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID EASEMENT**

**WHEREAS**, The Township of Wantage ("Township") is a municipal entity organized under the laws of the State of New Jersey and located in Sussex County; and

**WHEREAS**, N.J.S.A. Title 40A ("Local Lands and Buildings Law") authorizes a municipality to acquire easements; and

**WHEREAS**, Title 40A requires that the acquisition of easements by municipalities be accomplished by ordinance; and

**WHEREAS**, the Township Committee of the Township of Wantage has determined that it is in the public interest and welfare that the Township acquire drainage easements to permit the Township to construct and maintain drainage facilities on the properties located at 102 South Shore Avenue and 61 Alden Terrace (the "Facilities"); and

**WHEREAS**, Mark Williamson ("a Grantor"), is the owner of the real property located at Block 76, Lot 9, on the Official Tax Map of the Township of Wantage, more commonly referred to as 102 South Shore Drive, Wantage, New Jersey; and

**WHEREAS**, Judith L. Fiore ("a Grantor"), is the owner of the real property located at Block 76, Lot 24, on the Official Tax Map of the Township of Wantage, more commonly referred to as 61 Alden Terrace, Wantage, New Jersey; and

**WHEREAS**, Township and each Grantor has agreed to the terms and conditions of this easement as so stated in the documents attached hereto as Exhibit "A", entitled "Drainage Easement Agreement"; and

**WHEREAS**, each Grantor has duly executed or will execute a Drainage Easement Agreement in the form and manner shown in Exhibit "A"; and

**WHEREAS**, it is the intention of the Township Committee of the Township of Wantage to ratio' each easement and authorize the proper municipal officials to execute each attached Drainage Easement Agreement on behalf of the Township of Wantage.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wantage, County of Sussex, State of New Jersey, as follows:

**SECTION 1:** The Drainage Easement Agreement, attached hereto as Exhibit "A," by and between the Township of Wantage and each Grantor is hereby authorized and approved.

**SECTION 2:** The Mayor of the Township of Wantage is hereby authorized to execute each Drainage Easement Agreement and all other documents necessary to implement each Drainage Easement Agreement on behalf of the Township of Wantage.

**SECTION 3:** All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**SECTION 5:** This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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William Gaechter, Mayor

ATTEST:

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James R. Doherty, Administrator/Clerk

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 10th day of December 2015. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 888 Route 23 South, in the Township of Wantage, on December 29, 2015, at 3:30 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

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James R. Doherty, Administrator/Clerk