

CITY OF ABSECON

ORDINANCE 12-2022

ORDINANCE APPROVING A STORM SEWER EASEMENT FOR 802 HIGHLAND BOULEVARD (BLOCK 42, LOT 1) AND RATIFYING AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID EASEMENT

WHEREAS, The City of Absecon ("City") is a municipal entity organized under the laws of the State of New Jersey and located in Atlantic 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, City Council has determined that it is in the public interest and welfare that the City acquire an easement for the inspection, location, alteration, installation, maintenance, repair, replacement, renewal and perpetual operation of a Storm Sewer Main (the "Facilities"); and

WHEREAS, Kieran Michael Hughes ("Grantor"), is the owner of the real property located at Block 42, Lot 1, on the Official Tax Map of the City of Absecon, more commonly referred to as 802 Highland Boulevard, Absecon, New Jersey, 08201; and

WHEREAS, the City and Grantor have agreed to the terms and conditions of this easement as so stated in the document attached hereto as Exhibit "A", entitled "Deed of Easement"; and

WHEREAS, it is the intention of City Council to ratify the easement and authorize the proper municipal officials to execute the attached Deed of Easement and Right of Way on behalf of the City.

NOW, THEREFORE, be it **ORDAINED** by City Council of the City of Absecon, County of Atlantic, State of New Jersey, as follows:

SECTION 1: The Deed of Easement Way, attached hereto as Exhibit "A," by and between the City and the Grantor is hereby authorized and approved.


SECTION 2: The Mayor of the City of Absecon, or the Mayor's designee, is hereby authorized to execute and record the Deed of Easement and all other documents necessary to implement said grant of easement on behalf of the City, to make payment for the recording thereof, and to make payment to the Grantor pursuant to the terms of the Deed.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.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

DATED: September 1st, 2022

SIGNED: 
Kimberly Horton, Mayor

ATTEST: 
Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on August 4th, 2022.
Laid over and advertised for public hearing and final adoption on September 1st, 2022. Notice
is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal
Council of the City of Absecon at a regular meeting held on September 1st, 2022.