

ORDINANCE NO. 08- 16

AN ORDINANCE OF THE TOWNSHIP OF LACEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF AN EASEMENT IN BLOCK 181, LOT 17 IN ACCORDANCE WITH N.J.S.A. 40A:12-1, ET SEQ.

WHEREAS, N.J.S.A. 40A:12-4 and 40A:12-5 authorizes a municipality to acquire real property or any interest therein, including easements; and

WHEREAS, the Township of Lacey requires a drainage easement to be located on Block 181, Lot 17; and

WHEREAS, the owners of Block 181, Lot 17 are willing to grant the Township a new 10-foot wide drainage easement adjacent to the terminus of Koa Drive, crossing Block 181, Lot 17; and

WHEREAS, the governing body believes that the acquisition of the aforesaid easement is in the best interest of the municipality.

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

SECTION 1. That the governing body does hereby authorize the acquisition of a permanent 10-foot wide drainage easement along the Block 181, Lot 17, as set forth on Schedule A attached hereto and made a part hereof. The Township will be responsible for the relocation of the existing drainage pipe into the easement area.

SECTION 2. That the Mayor and Township Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the easement which is the subject matter of this ordinance.

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 All ordinances or parts of ordinances inconsistent herewith are hereby repealed.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

SECTION 6. That a certified copy of this ordinance be forwarded to David Petty, the owners of Block 181, Lot 17.

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 Lacey held on the ____ day of _____, **2008**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the ____ day of _____, **2008**, at 8:00 p.m., at the Municipal Building located on Lacey Road in Forked River, 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.

VERONICA LAUREIGH, CMC, AAE
Township Clerk, Township of Lacey

GRG: bl
#014

Corrected copy

EAST COAST ENGINEERING, INC.

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Jay F. Pierson, PLS, PP, CFM
Robert J. Harrington, PE
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DESCRIPTION OF A 10' WIDE DRAINAGE EASEMENT AT THE TERMINUS OF KOA DRIVE CROSSING LOT 17 BLOCK 181 LACEY TOWNSHIP, OCEAN COUNTY, NJ

Beginning at a point in the terminus of Koa Drive, 50-foot wide right-of-way, where the same is intersected by the division line between Lot 16 and Lot 17 Block 181 and running, thence;

1. Along the division line between Lot 16 and Lot 17 N12°23'50"E a distance of 23.0 feet more or less to the face of a bulkhead and the Mean High Water Line of the Forked River, thence;
2. Along the bulkhead and Mean High Water Line, N54°43'9"E a distance of 14.9 feet more or less to a point, thence;
3. Through Tax Lot 17 Block 181, S12°23'50"W a distance of 31.8 feet more or less to a point in the new terminus of Koa Drive, thence;
4. Along the new terminus of Koa Drive N77°36'10"W a distance of 8.23 feet to the original filed map terminus of Koa Drive, thence;
5. Along the original terminus of Koa Drive S52°23'19"W a distance of 2.76 feet to the Point And Place Of Beginning.

Containing 265.3 Square Feet of Land More Or Less.

Said Easement crosses the Westerly 10 feet of a 20' wide parcel of land between Lot 2 on Section E Forked River Beach filed in the Ocean County Clerks Office on 6/11/1954 as Map B-292 and Lot 1 as shown on Section D Forked River Beach filed on 2/18/1954 as Map C-253 and portion of Koa Drive. Said parcel of land is also known as Lot 17 Block 181 as shown on Tax Map sheet 9 and in the Tax Records of Lacey Township.


Jay F. Pierson, PLS, PP, CFM, CFS
New Jersey Professional Land Surveyor #27492

REVISED 03/31/2008

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