

**TOWNSHIP OF WALL  
ORDINANCE NO. 18-2006**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A UTILITY EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT OVER A PORTION OF BLOCK 314 LOT 1.**

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides that a municipality may convey an interest in certain real property to the owner of contiguous property under certain conditions; and

**WHEREAS**, the owner of Block 314, Lot 2, Premier Development Group, has requested a utility easement and a temporary construction easement from the Township, permitting it to install underground utility/ sewer pipes under a portion of Block 314, Lot 1, in order to connect into the Township's sewer system; and

**WHEREAS**, the proposed easements have been reviewed by the Township's Appraiser, and the sum of \$13,650.00 has been determined to be the value of the proposed easements; and

**WHEREAS**, the owner Block 314 Lot 2, Premier Development Group, has agreed to pay to the Township the sum of \$14,950.00 which represents the appraised value of the easements, together with the cost incurred by the Township for the appraisal services rendered in connection with the proposed easements.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Wall, in the County of Monmouth, and State of New Jersey, as follows:

Section 1. The appropriate Township officials of the Township of Wall be and are hereby authorized to execute and deliver any and all documents and

instruments for the purpose of conveying a Utility Easement and a temporary Construction Easement over a portion of Block 314, Lot 1 to Premier Development Group, subject to the following terms and conditions:

- (a) Premier Development Group shall pay to the Township the sum of \$14,950.00 prior to the execution of any documents by the Township;
- (b) The developer shall be responsible for the costs associated with the recording of the easements;
- (c) The easements must be in a form approved by the Township Attorney's office.

Section 2. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall effect upon its passage and publication according to law.

**NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on May 10, 2006, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on June 14, 2006, at 7:30 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same.

LORRAINE KUBACZ, RMC  
Township Clerk