

Ordinance: #1,686  
Introduced: 3-18-2024  
Adopted: 4-1-2024  
Effective: 4-21-2024

**ORDINANCE 6-24**

**BOROUGH OF LINCOLN PARK  
NOTICE OF INTRODUCTION**

Notice is hereby given that the foregoing Ordinance was introduced to pass on first reading at a meeting of the Council of the Borough of Lincoln Park held on March 18, 2024 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Borough Council to be held on April 1, 2024 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey at which time all persons interested may appear for or against the passage of said Ordinance.

**ORDINANCE 6-24**

**AN ORDINANCE OF THE BOROUGH OF LINCOLN PARK AUTHORIZING THE AMENDMENT OF THE PARKING/UTILITY/ACCESS EASEMENT FOR THE PROPERTY KNOWN AS TAX BLOCK 139 LOT 1 LOCATED WITHIN THE REDEVELOPMENT PLAN FOR BLOCK 139, LOTS 1, 2, AND 14 TO ANDI02 LLC, THE CONTRACT REDEVELOPER PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.**

WHEREAS, on November 29, 2021, the Borough of Lincoln Park adopted Ordinance 14-21 attached hereto as **EXHIBIT A**, authorizing the conveyance of a Parking/Utility/Access Easement Agreement (the "Easement Agreement") for the Property known as Tax Block 139, Lot 1 located within the Redevelopment Plan for Block 139, Lots 1, 2 and 14 to Andi02 LLC, the Contract Redeveloper pursuant to the Local Redeveloper and Housing Law, N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, on July 19, 2022, the Borough of Lincoln Park entered into the Easement Agreement with Andi02 Urban Renewal, LLC for the Property known as Tax Block 139, Lot 1 located within the Redevelopment Plan for Block 139, Lots 1, 2 and 14; and

WHEREAS, on or about January 2, 2024, the Borough of Lincoln Park became aware that the lot descriptions in parts 12 and 13 of the Easement Agreement were incorrect and need to be amended to include the correct lot information; and

WHEREAS, the Borough of Lincoln Park finds that it is in the best interest of the Borough to amend and modify parts 12 and 13 of the Easement Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of Lincoln Park, County of Morris, State of New Jersey, as follows:

**Section 1.** The Borough Council hereby authorizes the first amendment of the Easement Agreement, attached hereto as **Exhibit B**, for the Property known as Tax Block 139, Lot 1 located within the Redevelopment Plan for Block 139, Lots 1, 2 and 14 to Andi02 LLC, the Contract Redeveloper pursuant to the Local Redeveloper and Housing Law, N.J.S.A. 40A:12A-1 et. seq.

**Section 2.** Parts 12 and 13 of the Easement Agreement shall be amended as follows:

**Note:** Additions are shown in **bold and underlined** and deletions are shown as ~~strike through~~.

12. The provisions of this Easement shall inure to the benefit of and be obligatory upon the respective parties hereto and their successors and assigns in right, title, and interest, their tenants and invitees and shall run with the land in perpetuity for the benefit of the lands of the Grantee, as depicted on the Official Tax Map of the Borough of Lincoln Park as Block 139, Lots 1 and ~~2-04~~ **2**.

13. Contingency. This Agreement only becomes effective upon acquisition by the Grantee or its Assign of property described in Schedule B, annexed hereto, and depicted or about to be depicted on the Official Tax Map of the Borough of Lincoln Park as Block 139, Lot ~~2-04~~ **2**. Once Grantee or its assign acquires said property, this contingency shall be irrevocably satisfied.

**Section 3.** This Ordinance shall take effect immediately after final passage and publication on the manner provided by law.

ATTEST:

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Andrew Seise, Council President

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Courtney Fitzpatrick, RMC,CMC,MMC,CMR  
Borough Clerk  
Borough of Lincoln Park

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Mayor Dr. David Runfeldt

<b><u>INTRODUCED:</u></b>	<b>March 18, 2024</b>
<b><u>PUBLISHED IN DAILY RECORD:</u></b>	<b>March 21, 2024</b>
<b><u>PUBLIC HEARING AND ADOPTION:</u></b>	<b>April 1, 2024</b>
<b><u>PUBLISHED IN DAILY RECORD:</u></b>	<b>April 2, 2024</b>
<b><u>EFFECTIVE:</u></b>	<b>April 21, 2024</b>