

**CITY OF LONG BRANCH
COUNTY OF MONMOUTH**

ORDINANCE NO. O-14-24

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A SIDEWALK EASEMENT ON
A PLAN ENTITLED, SITE PLAN FOR 415 BROADWAY, BLOCK 265, LOT 7**

WHEREAS, the City of Long Branch (hereinafter referred to as the “City”) is a public body corporate and politic in the County of Monmouth, State of New Jersey; and

WHEREAS, Silvio M. Oliveira and Nancy Perez Lazo (hereinafter referred to as “Grantor”) is the owner of a certain parcel of land located within the City, known as Block 265, Lot 7, on the Tax Map of the City; and

WHEREAS, the Grantor desires to grant, give, authorize and provide the City with the right of a public sidewalk access and walkway, including all appurtenances thereto, across a portion of Lot 7; and

WHEREAS, the City and Grantor have negotiated the Easement Agreement attached hereto as Exhibit A; and

WHEREAS, the City has determined that it is its best interests to accept the Easement Agreement in a form substantially attached hereto, subject to the review of the City Attorney.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Long Branch, as follows:

1. The City is hereby authorized to accept the sidewalk easement attached hereto as Exhibit A, by which the Grantor gives, grants and conveys onto the City, its successors and assigns, forever, an easement for sidewalk purposes, in, across, under and over a portion of property known as Block 265, Lot 7.
2. If any section or provision of this Ordinance shall be held to be invalid by any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance.
3. All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: June 12, 2024
Adopted: June 26, 2024

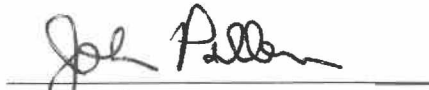
MOVED: Voogt
SECONDED: Vieira

AYES: 3
NAYS: 0
ABSENT: 2 (Celli/Widdis)
ABSTAIN: 0

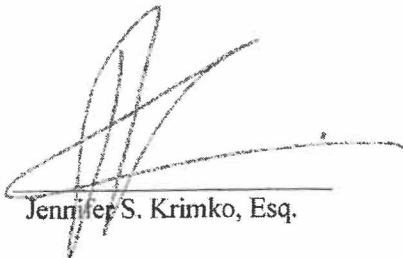
Date: 7/8/2024


Amanda Caldwell

Date: 7/8/2024


John Pallone

Prepared by:


Jennifer S. Krimko, Esq.

**DEED OF SIDEWALK EASEMENT
AS TO A PORTION OF LOT 7
IN BLOCK 265 IN THE CITY OF LONG BRANCH**

THIS DEED OF EASEMENT is made this 6 day of May, 2024, by and between **SILVIO M. OLIVEIRA and NANCY PEREZ LAZO**, husband and wife, whose post office address is 134 Branchport Avenue, Long Branch, New Jersey 07740, and their successors and/or assigns (hereinafter referred to collectively as the "Grantor"),

AND CITY OF LONG BRANCH, a municipal corporation of the State of New Jersey, County of Monmouth, having its principal office located at 344 Broadway, Long Branch, New Jersey 07740, and its successors and/or assigns (hereinafter referred to as the "Grantee").

WHEREAS, Grantor is the owner of a certain parcel of land located within the City of Long Branch, County of Monmouth, State of New Jersey, known as Block 265, Lot 7, on the Tax Map of the City of Long Branch; and

WHEREAS, Grantor, desires to grant, give, authorize, and provide the Grantee with the right of public sidewalk access and walkway, including all appurtenances thereto, across a portion of Lot 7; and

WHEREAS, it is the intent and purpose of this deed to grant unto Grantee, an easement for sidewalk purposes, in, across, under, and over the lands described in **Exhibit "A"** attached hereto and made a part hereof.

NOW THEREFORE, for the sum of One (\$1.00) Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor hereby gives, grants and conveys onto the Grantee, its successors and assigns, forever, an easement for sidewalk purposes, in, across, under, and over a portion of property known as Lot 7 in Block 265, situated in the City of Long Branch, County of Monmouth, and State of New Jersey ("Easement").

The purpose of this Easement is to allow public access sidewalks over that portion of the subject premises described in Exhibit "A". The Grantor shall not erect within the Easement any structure or other improvement which will alter or impair the effectiveness of the use of the Easement for sidewalks without the prior approval of the Grantee. No action shall be taken which is inconsistent with the purposes of this Easement or which will alter or impair the survival of the sidewalks without the prior approval of the Grantee.

Grantor desires to grant, give, authorize, and provide the Grantee and its representatives with the right, if necessary, but not the obligation, to enter into and/or upon the Easement to inspect and/or

maintain the same, and to perform any services necessary to ensure the welfare and/or safety of the residents of the City of Long Branch.

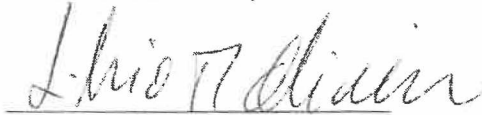
This Easement shall be perpetual, and it shall run with the land and shall be binding upon the successors in interest and assigns of the Grantor.

If any clause, paragraph, sentence, or portion of the terms, covenants and conditions of this Easement become illegal, null or void for any reason whatsoever, or are held by any Court of competent jurisdiction to be so, the remaining portions of this easement shall remain in full force and effect.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed and sealed and acknowledged the day and year first above written.

SILVIO M. OLIVEIRA, Grantor

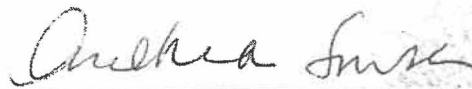
NANCY PEREZ LAZO, Grantor



STATE OF NEW JERSEY :
: SS:
COUNTY OF MONMOUTH:

I CERTIFY that on May 6, 2024, Silvio M. Oliveira and Nancy Perez Lazo, the individuals named in the within instrument, personally came before me and acknowledged under oath, to my satisfaction, that each person:

- (a) did execute this Deed as his/her own act;
- (b) made this Deed for the sum of \$1.00 as the full and actual consideration paid or to be paid for the transfer of title (such consideration is defined in N.J.S.A. 46:15-5); and
- (c) is the maker of this Deed.



Notary Public, State of NJ

Record and return to:
Jennifer S. Krimko, Esq.
Ansell Grimm & Aaron, P.C.
1500 Lawrence Avenue
Ocean, NJ 07712

Exhibit A

**DESCRIPTION OF
PROPOSED SIDEWALK EASEMENT
OVER TAX LOT 7, BLOCK 265
CITY OF LONG BRANCH
MONMOUTH COUNTY
NEW JERSEY**




ALL that certain lot, tract or parcel of land, situated in City of Long Branch, Monmouth County, New Jersey, being shown as Proposed Sidewalk Easement, on a plan entitled, "Site Plan for 415 Broadway, Block 265, Lot 7, Tax Map Sheet #21, City of Long Branch, Monmouth County, New Jersey," by Insite Engineering, LLC., dated August 22, 2022, last revised November 7, 2023 and being more particularly described as follows:

BEGINNING at a point in the Northerly right of way line of Dudley Street, (44' R.O.W.), said point being the intersection of formed by said line of Dudley Street with the Westerly right of way line of Broadway, (66' R.O.W.), thence from said beginning point,

- 1) Along said line of Dudley Street, North 43 degrees 47 minutes 53 seconds West, a distance of 190.00 feet to a point; thence
- 2) North 46 degrees 12 minutes 07 seconds East, a distance of 1.60 feet to a point; thence
- 3) South 44 degrees 08 minutes 26 seconds East, a distance of 189.62 feet to a point, thence
- 4) South 38 degrees 16 minutes 12 seconds West, a distance of 2.76 feet to the true point and place of **BEGINNING**.

CONTAINING an area of 411 Square feet or 0.009 Acres.

11/07/23
DATE


JUSTIN J. HEDGES
NJ PLS NO. GS43362