

June 18, 2024

25-2024

AN ORDINANCE OF THE CITY OF ORANGE TOWNSHIP GRANTING MORROW STREET URBAN RENEWAL, LLC A NON-EXCLUSIVE PERPETUAL EASEMENT AND AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT

WHEREAS, the City of Orange Township (the “City”) is the owner of a 30’ public right-of-way known as Morrow Street within the City; and

WHEREAS, Morrow Street Urban Renewal LLC (“Morrow”), owns or intends to acquire the properties located at 566-588 Morrow Street, 567-585 Morrow Street and 507-515 S. Jefferson Street, and designated as Block 6003, Lots 5, 6, 7, 8, 11, 12, 13, 14, 27, 28, 29 & 30 on the official tax map of the City (“Property”); and

WHEREAS, Morrow is developing the Property as a six-story mixed-use multifamily building, consisting of 202 residential units, 3,525 square feet of retail space, 202 off-street parking spaces and related amenities, all in accordance with a preliminary and final site plan approval granted by the City’s Planning Board on September 27, 2023; and

WHEREAS, the Project contains two separate buildings, one located on the northern side of Morrow Street (“Building A”) and the other located on the southern side of Morrow Street (“Building B”), which is proposed to be connected by a second floor skybridge that runs over and across a portion of Morrow Street (the “Bridge”); and

WHEREAS, the City desires to grant to Morrow a non-exclusive, perpetual easement over a portion of Morrow Street (the “Easement Area”) for access, air rights, and encroachment allowances wherever necessary and appropriate within the Easement Area, being more particularly described in the Easement Agreement attached hereto as Exhibit “A” (the “Easement Agreement”); and

WHEREAS, the City is authorized pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. to grant such an easement to Morrow;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Orange Township as follows:

SECTION I

That the City of Orange Township hereby grants to Morrow a non-exclusive, perpetual easement over a portion of Morrow Street (the Easement Area) for access, air rights, and encroachment allowances wherever necessary and appropriate, subject to the terms and conditions of the attached Easement Agreement.

SECTION II

That the Mayor and Clerk be and hereby are authorized and directed to execute the attached Easement Agreement and any and all other documents necessary to effectuate the intent and purposes hereof.

SECTION III

That said Easement Agreement shall be recorded in the Office of the Essex County Register.

SECTION IV

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION V

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION VI

This ordinance shall take effect in accordance with applicable law.

Adopted: June 18, 2024

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Approved by:

Dwayne D. Warren, Esq.
Mayor

Dated: June 21, 2024