

**ORDINANCE #2023-28**

**AN ORDINANCE OF THE MUNICIPALITY OF PRINCETON PURSUANT TO N.J.S.A. 40A:12-3 ET SEQ. AUTHORIZING THE ACQUISITION OF A SIDEWALK EASEMENT ON A PART OF LOT 3, BLOCK 21.04 MUNICIPALITY OF PRINCETON TAX MAP AS A PART OF THE WITHERSPOON STREET CAPITAL IMPROVEMENT PROJECT**

**BE IT ORDAINED** by the Mayor and Council of Princeton as follows:

**WHEREAS**, the Municipality of Princeton is implementing a Capital Improvement Project to improve the sidewalks on Witherspoon Street; and

**WHEREAS**, the Municipality of Princeton has determined that in order to improve the safety of an ADA sidewalk access at the intersection of Witherspoon Street and Witherspoon Lane, an area consisting of 37.57± square feet of land adjacent to the Witherspoon Street sidewalk should be acquired in order to install an ADA compliant surface; and

**WHEREAS**, the Municipality of Princeton wishes to acquire a sidewalk easement as described as follows:

ALL THAT certain tract, piece or parcel of land and premises situate in the Municipality of Princeton, County of Mercer and State of New Jersey and being more particularly described as follows:

BEGINNING at a point in the Easterly right-of-way line of Witherspoon Street (variable width), said point being the following course and distance from intersection of northerly right of way line of Witherspoon Lane (20 ft wide) and the easterly right of way line of Witherspoon Street, North 17 degrees 39 minutes 22 seconds West, a distance of 8.09 feet to the Point and Place of Beginning; thence.

1. Still along the easterly line of Witherspoon Street and the westerly line of Lot 3, Block 21.04, North 17 degrees 39 minutes 22 seconds West, a distance of 8.85 feet to a point; thence
2. Through said Lot, South 63 degrees 41 minutes 58 seconds East, a distance of 11.80 feet to a point on the existing sidewalk easement (referenced in deed book 4298 page 214); thence.

3. Along said easement, South 67 degrees 54 minutes 57 seconds West, a distance of 8.52 feet to the Point and Place of Beginning.

Containing within said bounds 37.57 sf of land. Being part of the same parcel as shown on "Phase II

– Roadway Improvements to Witherspoon Street" sheet 10 of 79 as prepared by T&M Associates dated 09-01-2022

**WHEREAS**, the owner of Block 21.04, Lot 3 has consented to provide said sidewalk easement to the Municipality of Princeton.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE MUNICIPALITY OF PRINCETON AS FOLLOWS:**

1. The Mayor and Clerk of the Municipality of Princeton are hereby authorized and directed to execute on behalf of said Municipality a Deed of Sidewalk Easement as described hereinabove to improve ADA access to Witherspoon Street at its intersection with Witherspoon Lane.
2. The Deed of Sidewalk Easement is on file in the Office of the Municipal Clerk and may be inspected during regular office hours.
3. This Ordinance shall take effect upon passage and publication as provided for by law.

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Rayna Harris, Municipal Clerk

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Hon. Mark Freda, Mayor

Ordinance Introduced: September 11, 2023

Ordinance Adopted: September 26, 2023

**NEWSPAPER PUBLICATIONS:**

First Insertion: September 15, 2023

Final Insertion: September 29, 2023

**STATEMENT OF PURPOSE:** This Ordinance would have the Municipality of Princeton authorize the acquisition of a sidewalk easement at the intersection of Witherspoon Street and Witherspoon Lane as described hereinabove to improve ADA access.