

ORDINANCE NO. 2023 – 19

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE ACCEPTANCE OF AN EASEMENT
THROUGH A PORTION OF BLOCK 147.06, LOT 249.**

WHEREAS, Mr. Chris Capozza and Mr. Thomas Sievers (hereinafter “Property Owners” or “Grantors”) is the owner of Block 147.06, Lot 249; and

WHEREAS, the Township of Stafford (“Township”) has requested a 5 foot wide drainage easement over a portion of the Property from Grantors; and

WHEREAS, Grantors have agreed to grant the easement, which is authorized to be acquired by the Township pursuant to N.J.S.A. 40A:12-4.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Governing Body hereby authorizes and approves the acquisition for the purchase price of \$1.00 from Mr. Chris Capozza and Mr. Thomas Sievers, a perpetual drainage easement in and along a portion of property known as Block 147.06, Lot 249 on the Tax Map of the Township of Stafford. The easement is attached hereto and incorporated herein as Schedule A.

SECTION 2. That the Mayor and Township Clerk are hereby authorized and directed to execute any and all such documents providing for the Township’s acquisition of interest in the Property and to undertake any and all such acts as may be necessary to effectuate the terms hereof, subject to the Township Attorney’s approval of the form and substance of said documents.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Stafford, in the County of Ocean, State of New Jersey, held on **May 30, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **27th day of June, 2023**, at 7:00 P.M., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 260 East Bay Avenue, Manahawkin, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



**SUSAN FARRELL
TOWNSHIP CLERK
TOWNSHIP OF STAFFORD**



Engineers
Planners
Surveyors
GIS Specialists

Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas F. Klee, P.E., P.P., C.M.E.
William J. Berg, P.L.S.

**DESCRIPTION OF A NEW FIVE FOOT WIDE DRAINAGE EASEMENT
BEING ON A PORTION OF LOT 249, BLOCK 147.06
STAFFORD TOWNSHIP, OCEAN COUNTY, NEW JERSEY**

All that certain lot, tract, or parcel of land premises, situate, lying and being in the Township of Stafford, County of Ocean, State of New Jersey and being more particularly described as follows:

Beginning at a point of intersection formed by the common property lines of Lots 249 and 250, Block 147.06 with the Northerly Right-of-Way (R.O.W.) Line of Walter Boulevard (50 Foot Wide Public R.O.W.). Said point also being distant North 58°15'00" East, 50.00 Feet from the intersection formed by the Northerly R.O.W. Line of Walter Boulevard with the Easterly R.O.W. Line of Harry Drive (50 Foot Wide Public R.O.W.). Running thence:

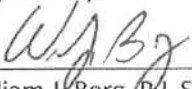
1. Along the common property line of Lots 249 and 250, Block 147.06, North 09°08'46" West, 86.66 Feet to a point; thence
2. North 58°15'00", 5.42 Feet to a point in the New Five Foot Wide Drainage Easement Line; thence
3. Along said New Easement Line, South 09°08'46" East, 86.66 Feet to a point in the Walter Boulevard R.O.W. Line; thence
4. Along said R.O.W. Line, South 58°15'00" West, 5.42 Feet to the point and place of beginning.

Containing: 433.29 SF/0.01 AC

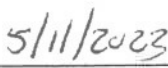
Being intended to describe a New Five Foot Wide Drainage Easement on a portion of Lot 249, Block 147.06, Stafford Township, Ocean County, New Jersey. Said easement being further shown on a map entitled "New Drainage Easement, p/o Lot 249, Block 147.06, Township of Stafford, Ocean County, New Jersey" dated 05/11/2023. Said map was prepared by Owen, Little & Associates, Inc., 443 Atlantic City Boulevard, Beachwood, New Jersey and is on file as Project Number STAFF(23EASE).

Subject to covenants, restrictions and/or easements, if any, of record, except those that have expired by their own limitations.

Prepared by:



William J. Berg, P.L.S.
NJ License No. 24GS03622800



Date

W:\PROJECTS\CLERICAL\DEED DESCRIPTIONS\STAFFORD\B147.06, L249-5 FT DRAINAGE EASEMENT.DOCX

443 Atlantic City Blvd.
Beachwood, NJ 08722
732-244-1090
Fax 732-341-3412
www.owenlittle.com
info@owenlittle.com

THE PROPERTY IN QUESTION AND ANY ADJOINING PROPERTIES WERE ONLY PARTIALLY SURVEYED IN THE VICINITY OF THE PROPOSED EASEMENT LOCATION, SUBJECT TO WHAT A COMPLETE AND ACCURATE SURVEY MAY REVEAL.

THIS SURVEY IS A REPRESENTATION OF CONDITIONS EXISTING ON THE PROPERTY, EXCEPT SUCH EASEMENTS AND ENCROACHMENTS, IF ANY, THAT MAY BE LOCATED BELOW THE SURFACE OF THE LAND OR ON THE SURFACE OF THE LAND OR ON THE SURFACE OF THE LAND NOT VISIBLE OR IN DOCUMENTATION SUPPLIED AT THE TIME OF THE SURVEY.

THIS SURVEY IS MADE ONLY TO NAMED PARTIES FOR PURCHASE AND/OR MORTGAGE OR DELETED PROPERTY BY NAMED PURCHASERS.

NO RESPONSIBILITY OR LIABILITY IS ASSUMED BY SURVEYOR FOR USE OF SURVEY FOR ANY OTHER PURPOSE INCLUDING BUT NOT LIMITED TO USE OF SURVEY FOR SURVEY AFFIDAVIT, RESALE OF PROPERTY, OR TO ANY OTHER PERSON NOT LISTED ABOVE, EITHER DIRECTLY OR INDIRECTLY.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS ILLEGAL AND PUNISHABLE BY LAW.

OWNER REFERENCE
CHRIS CAPOZZA, JR.
& THOMAS SIEVERS
1191 WALTER BOULEVARD
STAFFORD TOWNSHIP, NJ

Block 147.06
 Lot 251

**NEW 5.0' WIDE
 DRAINAGE EASEMENT**
433.29 S.F. / 0.01 AC.

HARRY DRIVE
 (ASPHALT SURFACE - 50' R.O.W.)

WALTER BOULEVARD
 (ASPHALT SURFACE - 50' R.O.W.)

REFERENCE:
 DEED BOOK 19162, PAGE 1189
 FILE MAP #F-260

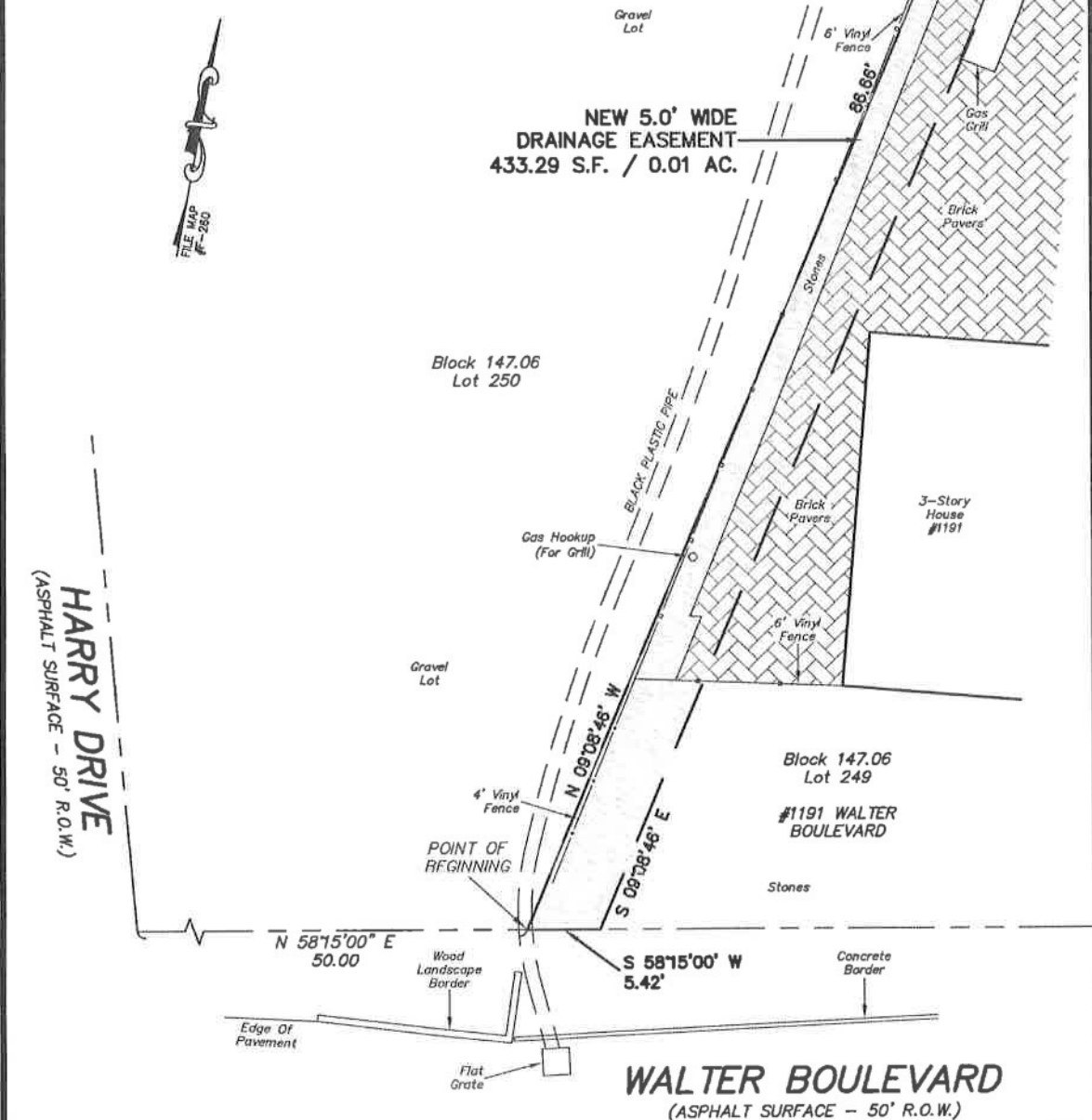
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THIS DRAWING HAS BEEN PREPARED FOR THE PURPOSE OF MUNICIPAL AND REGULATORY AGENCY REVIEW AND APPROVAL AND SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED AND THE DRAWINGS HAVE BEEN INITIALED TO INDICATE APPROVED FOR CONSTRUCTION.

APPROVED FOR CONSTRUCTION:
 WILLIAM J. BERG, P.L.S.
 PROFESSIONAL LAND SURVEYOR
 N.J. LIC. NO. 246503622B00

NO.	DATE	REVISION DESCRIPTION	DRAWN	CHK'D
NEW DRAINAGE EASEMENT				
P/O LOT 249			BLOCK 147.06	
TOWNSHIP OF STAFFORD			NEW JERSEY	
OCEAN COUNTY			NEW JERSEY	
SCALE: 1" = 10'		DATE: 5/11/23	DRAWN: JMW	CHK'D: WJB
SURVEY NO: -		BILLING NO: STAFF(23EASE)	APPROVED FOR CONSTRUCTION	
WILLIAM J. BERG, P.L.S.				
PROFESSIONAL LAND SURVEYOR N.J. LIC. NO. 246503622B00				
<i>William J. Berg</i>				DATE: 5/11/23



Introduction: May 30, 2023

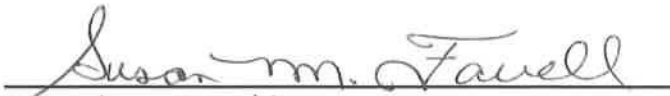
Motion to Introduce: <i>Otte</i>	Second <i>Esposito</i>	Roll Call:	Esposito	<i>yes</i>
			Henken	<i>yes</i>
			Krier	<i>yes</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

Adoption: June 27, 2023

Motion to Adopt: <i>Otte</i>	Second <i>Esposito</i>	Roll Call:	Esposito	<i>yes</i>
			Henken	<i>yes</i>
			Krier	<i>yes</i>
			Otte	<i>yes</i>
			Mower	<i>absent</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

CERTIFICATION

I, **SUSAN FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the 27th day of June, 2023.


Susan Farrell, RMC
Municipal Clerk, Stafford Township
Ordinance No. 2023-19