

ORDINANCE NO. 2023 - 37

**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 147.96, LOT 30.**

WHEREAS, Ira Berkowitz and Deborah Berkowitz (hereinafter “Property Owners” or “Grantors”) is the owner of Block 147.96, Lot 30; 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 Ira Berkowitz and Deborah Berkowitz, a perpetual drainage easement in and along a portion of property known as Block 147.96, Lot 30 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 **October 3, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **24th** day of **October, 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, RMC
TOWNSHIP CLERK
TOWNSHIP OF STAFFORD

Introduction: October 3, 2023

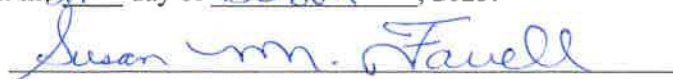
Gov. Body	Motion	Second	Yes	No	Abstain	Absent
Esposito		✓	✓			
Henken	✓		✓			
Krier			✓			
Mower			✓			
Otte			✓			
Steadman			✓			
Myhre			✓			

Adoption: October 24, 2023

Gov. Body	Motion	Second	Yes	No	Abstain	Absent
Esposito	✓		✓			
Henken			✓			
Krier			✓			
Mower						✓
Otte		✓	✓			
Steadman			✓			
Myhre			✓			

CERTIFICATION

I, **SUSAN M. 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 24th day of October, 2023.


 Susan M. Farrell, RMC
 Municipal Clerk, Stafford Township



Engineers
Planners
Surveyors
GIS Specialists

Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas E. 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 BLOCK 147.96, LOT 30,
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 line of Lots 30 and 31, Block 147.96 with the Northerly Right-of-Way (R.O.W.) Line of Bruce Drive (50 Foot Wide Public R.O.W.). Said point also being distant North 71°00'00" East, 112.23 Feet from the intersection formed by the Northerly R.O.W. Line of Bruce Drive with the Easterly R.O.W. Line of Newell Avenue (80 Foot Wide Public R.O.W.). Running thence:

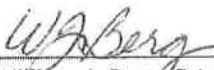
1. Along the common property line of Lots 30 and 31, Block 147.96, North 19°00'00" West, 80.00 Feet to a point in the Southerly line of an 80 Foot wide lagoon; thence
2. Along said lagoon line, North 71°00'00" East, 5.00 Feet to a point in the Easterly line of the new drainage easement line; thence
3. Along said new easement line, South 19°00'00" East, 80.00 Feet to a point in the Northerly R.O.W. line of Bruce Drive; thence
4. Along said R.O.W. line, South 71°00'00" West, 5.00 Feet to the point and place of beginning.

Containing: 400.00 SF/0.01 AC

Being intended to describe a Proposed Five Foot Wide Drainage Easement on Lot 30, Block 147.96, Stafford Township, Ocean County, New Jersey. Said property being further shown on a map entitled "New Drainage Easement, P/O Lot 30, Block 147.96, Township of Stafford, Ocean County, New Jersey" dated 09/11/2023. Said map was prepared by Owen, Little & Associates, Inc., 443 Atlantic City Boulevard, Beachwood, New Jersey and is on file as Project Number STAFF(23-094503).

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

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