

ORDINANCE NO. 2023 - 43

**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 147.09, LOT 291.**

WHEREAS, Kenneth Albright and Theresa Albright (hereinafter “Property Owners” or “Grantors”) is the owner of Block 147.09, Lot 291; 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 Kenneth Albright and Theresa Albright, a perpetual drainage easement in and along a portion of property known as Block 147.09, Lot 291 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 **November 21, 2023**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **11th day of December, 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, 08050 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.



SUSAN FARRELL, RMC
TOWNSHIP CLERK

Introduction: November 21, 2023

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

Adoption: December 11, 2023

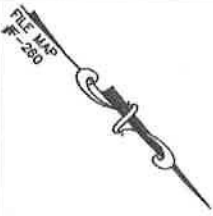
Gov. Body	Motion	Second	Yes	No	Abstain	Absent
Esposito			✓			
Henken			✓			
Krier	✓		✓			
Mower			✓			
Otte			✓			
Steadman		✓	✓			
Myhre			✓			

CERTIFICATION

I, **SUSAN FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Stafford Township Council at a meeting held on the **11th day of December, 2023**.

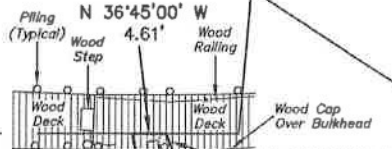


SUSAN FARRELL, RMC
STAFFORD TOWNSHIP MUNICIPAL CLERK



LAGOON

Block 147.09
Lot 289



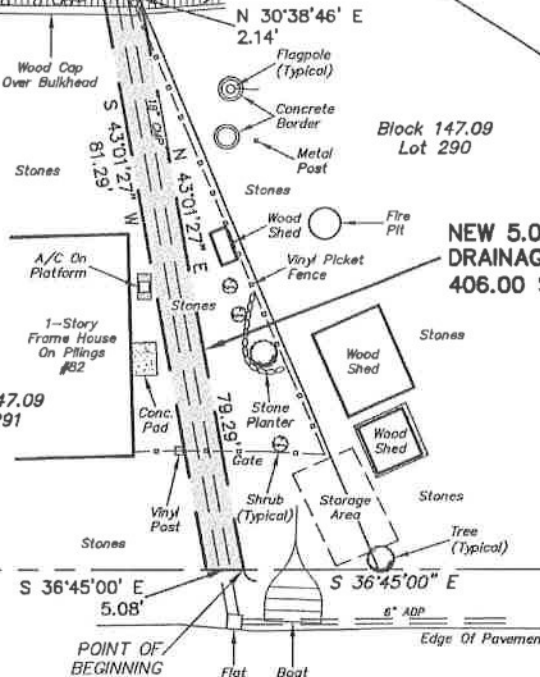
N 30°38'46" E
2.14'

Block 147.09
Lot 290

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

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

Block 147.09
Lot 291



HARRY DRIVE

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

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 DELINEATED 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.

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

Z:\STAFFORD TWP\Zosman\k\Drawings\Drawings\2023\Harry\of\the\Zosman\Map.dwg - Lzp104

REFERENCE:
DEED BOOK 15229, PAGE 755
FILE MAP #F-260

NO.	DATE	REVISION DESCRIPTION	DRAWN	CHK'D
NEW DRAINAGE EASEMENT				
P/O LOT 291		BLOCK 147.09		
TOWNSHIP OF STAFFORD				
OCEAN COUNTY		NEW JERSEY		
SCALE: 1" = 20'	DATE: 11/1/23	DRAWN: JMW	CHK'D: WJB	
SURVEY NO. -	BILLING NO. STAF(23EASE)	APPROVED FOR CONSTRUCTION		
WILLIAM J. BERG, P.L.S.				
PROFESSIONAL LAND SURVEYOR N.J. LIC. NO. 246503622500				
<i>William J. Berg</i>				DATE 11/1/23



**OWEN,
LITTLE
& ASSOCIATES**
INC.
Authorization:
No. 246A27985700
Engineer, Permit Services
221 Spinnacola
443 Atlantic City Blvd.
Bachman, NJ 08022
Tel: (732) 344-1090
Fax: (732) 344-3412



Engineers
Planners
Surveyors
GIS Specialists

Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas F. Kler, 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 291, BLOCK 147.09,
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 Southerly Right-of-Way (R.O.W.) Line of Harry Drive (50 Foot Wide - Public R.O.W.) with the Northerly line of the New Five Foot Wide Drainage Easement. Said point also being distant South $36^{\circ}45'00''$ East, 68.41 Feet from the intersection formed by the Southerly R.O.W. Line of Harry Drive with the Easterly R.O.W. Line of Virginia Drive (50 Foot Wide - Public R.O.W.) Running thence:

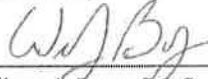
1. South $36^{\circ}45'00''$ East, 5.08 Feet to a point; thence
2. South $43^{\circ}01'27''$ West, 81.29 Feet to a point; thence
3. North $36^{\circ}45'00''$ West, 4.61 Feet to a point; thence
4. North $30^{\circ}38'46''$ East, 2.14 Feet to a point; thence
5. North $43^{\circ}01'27''$ East, 79.29 Feet to the point and place of beginning.

Containing: 406.00 SF/0.01 AC

Being intended to describe a New Five Foot Wide Drainage Easement on a portion of Lot 291, Block 147.09, Stafford Township, Ocean County, New Jersey. Said easement being further shown on a map entitled "*New Drainage Easement, P/O Lot 291, Block 147.09, Township of Stafford, Ocean County, New Jersey*" dated 11/01/2023. 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-EASE)(23-104528).

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\B147.09, L291-5 FT DRAINAGE EASEMENT.DOCX

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