

Introduction date: May 23, 2016

Adoption date: June 13, 2016

ORDINANCE NO 2016- 8

**TOWNSHIP OF EASTAMPTON
BURLINGTON COUNTY**

AN ORDINANCE CONVEYING AN EASEMENT TO CERTAIN MUNICIPAL LANDS TO THE COUNTY OF BURLINGTON PURSUANT TO N.J.S.A.40A:12-13.4 TO PERMIT THE COUNTY TO BUILD A PATHWAY

WHEREAS, the Township of Eastampton has received a request from the County of Burlington for an easement over land owned by the Township as described on schedule “A” attached hereto; and

WHEREAS the aforesaid land is not needed for municipal purposes at this time; and

WHEREAS N.J.S.A.40A:12-13.4 specifically provides that lands owned by the municipality not then needed for municipal purposes may, by ordinance, be sold to the County at a private sale, without compliance with any other law governing disposal of lands by municipalities, for a consideration which may be nominal provided that such conveyance contains a limitation that the lands shall be used only for public purposes of the county, and that if the land is not used in accordance with the limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of the municipality.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Eastampton, County of Burlington and State of New Jersey as follows:

SECTION I.

An easement in the land described in exhibit “A” shall be conveyed to the County of Burlington for nominal consideration as authorized by N.J.S.A.40A:12-13.4. The document conveying said easement shall, as required by the afore cited statute, contain a limitation that the lands shall be used only for public purposes of the county, and that if the land is not used in accordance with the limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of the municipality.

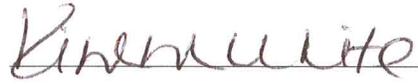
SECTION II.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

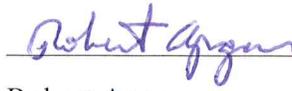
SECTION III.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

ATTEST:



Kim-Marie White
Municipal Clerk



Robert Apgar
Mayor

Adopted: June 13, 2016

EXHIBIT A

DESCRIPTION OF EASEMENT FROM EASTAMPTON TOWNSHIP TO COUNTY OF BURLINGTON BETWEEN THE EXISTING NORTHERLY RIGHT OF WAY OF COUNTY ROUTE 684 AND A FENCE ON LOT 57 TAX MAP BLOCK 1400 OWNED BY THE TOWNSHIP OF EASTAMPTON LOCATED IN THE STATE OF NEW JERSEY

BEGINNING at a point in the northerly right of way of Smithville Road, 49.5 feet wide, designated as County Route 684, corner to Lot 55, Block 1400, now or formerly of the County of Burlington, and Lot 57, now or formerly of the Township of Eastampton, said point being North 07°00'23" East 378.15 feet from a concrete monument found in the same corner to Lot 25.03 now or formerly of the County of Burlington and aforesaid Lot 55, and from said beginning point running:

1. Along the line dividing said Lots 55 and 57, North 73°42'37" West 2.03 feet more or less to a fence within Lot 57; thence
2. Along said fence, North 07°00'23" East 281.91 feet more or less to the line dividing aforesaid Lots 55 and 57; thence
3. Along said dividing line, North 80°08'23" East 2.09 feet more or less to the aforesaid northerly right of way of Smithville Road; thence
4. Along said northerly right of way of Smithville Road, South 07°00'23" West 282.84 feet to the point and place of beginning.

CONTAINING within said bounds, 565 square feet or 0. 013 Acres of Land be the same more or less.

Introduction 5.23.2016

Council	Motion	2 nd	Ayes	Nays	Abstain	Absent
Councilman Adams		✓	✓			
Councilman Edson						✓
Councilman Springer			✓			
Councilman Zeno	✓		✓			
Mayor Apgar			✓			
		VOTE	4	0		

Adoption 6.13.16

Council	Motion	2 nd	Ayes	Nays	Abstain	Absent
Councilman Adams	✓		✓			
Councilman Edson		✓	✓			
Councilman Springer			✓			
Councilman Zeno			✓			
Mayor Apgar			✓			
		VOTE	5	0		