

AN ORDINANCE TO GRANT A PERMANENT EASEMENT FOR SUPPORT OF EXCAVATION OVER A PORTION OF THE RIGHT-OF-WAY OF HARDENBERG STREET, DIVISION STREET AND SOMERSET STREET

BE IT ORDAINED by the New Brunswick City Council as follows:

SECTION I

City Council finds and determines as follows:

- (a) The City has been notified by Langan Engineering, engineers for the Rutgers Cancer Institute of New Jersey, that Support of Excavation (soil nails) will be required for the construction of the Rutgers Cancer Institute of New Jersey and Associated Parking Deck foundations.
- (b) The Support of Excavations will be permanently placed in a portion of the City right-of-way on Hardenberg Street, Division Street and Somerset Street.
- (c) The Metes and Bounds Description dated March 25, 2021 prepared by Joseph E. Romano, PLS and Support of Excavation Easement Plan No. CB104 Sheet 1 of 1 detail these soil nail locations.
- (d) The Metes and Bounds Description was last revised April 27, 2021 as prepared by Joseph E. Romano, PLS and Support of Excavation Easement Plan No. CB104 Sheet 2 of 2.

SECTION II

The Mayor and City Clerk are authorized to execute and attest a Deed of Easement over a portion of the right-of-way of Hardenberg Street, Division Street and Somerset Street to place Support of Excavations (soil nails) in accordance with the above. The form of Deed is to be approved by the City Attorney.

SECTION III

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION IV

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION V

EFFECTIVE DATE:

This Ordinance shall become effective twenty (20) days following final adoption and shall be published as required by law.

ADOPTED ON FIRST READING
DATED: May 19, 2021 , 2021


COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED: , 2021


COUNCIL PRESIDENT

COUNCIL MEMBER	Y	N	M	AB	COUNCIL MEMBER	Y	N	NV	AB
ANDERSON	X				ESC. CLERK / VP	X			
EGAN	X				OFFICIAL PUBLIC POS.	X			
FLEMING	X								

FIRST READING VOTE ON MAY 19, 2021 N= MOVED S= SECOND NV= NO VOTE AB= ABSENT

ATTEST:

CITY CLERK

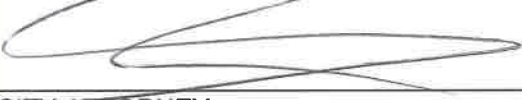
APPROVAL OF THE MAYOR ON THIS DAY OF , 2021.

MAYOR

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc