

AN ORDINANCE TO GRANT AN EASEMENT INTO THE CITY OF NEW BRUNSWICK'S RIGHT-OF-WAY ON HAMILTON STREET

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

SECTION I

City Council finds and determines as follows:

- a) Hamilton Street Realty, LLC, is the owner of certain real property designated as Block 57, Lot 54.01, as shown on the City of New Brunswick Municipal Tax Map, and otherwise known as 191 Hamilton Street, New Brunswick, New Jersey;
- b) The City of New Brunswick is the owner of certain right-of-way lands which are immediately adjacent to the Hamilton Street Realty, LLC property along 191 Hamilton Street in the City of New Brunswick, New Jersey;
- c) As depicted by the survey prepared by Brunswick Surveying, Inc., dated January 10, 2019, Hamilton Street Realty, LLC installed an underground storm water detention pump system that partially encroaches the City's right-of-way;
- d) Hamilton Street Realty, LLC has requested that the City of New Brunswick convey a permanent easement into a portion of the City's right-of-way adjacent to 191 Hamilton Street as a result of the encroachment onto the City of New Brunswick property as depicted on the Brunswick Surveying, Inc. survey dated January 10, 2019; and
- e) The City Council has determined it is in the best interests of the residents of the City to provide the easement to Hamilton Street Realty, LLC and which consideration for said easement shall be Eleven Thousand Eight Hundred Sixty-Five Dollars (\$11,865.00).

SECTION II

The Mayor and City Clerk are authorized to execute and attest a Deed of Easement to Hamilton Street Realty, LLC for an easement into the City's right-of-way at 191 Hamilton Street in the City of New Brunswick as set forth in the Legal description attached hereto. The form of Deed 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All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.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 publication as required by law.

ADOPTED ON FIRST READING
DATED: September 18, 2019




COUNCIL PRESIDENT

I, Leslie R. Zelenon, City Clerk of the City of New Brunswick, NJ, do hereby certify the foregoing Ordinance is a true copy of the Original Ordinance adopted on second and final reading at a regular meeting of the New Brunswick City Council on its meeting on OCTOBER 2, 2019.
 Leslie R. Zelenon, City Clerk
 Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified.

COUNCIL MEMBER	Y	N	MV	AB	Y	N	NV	AB
EGAN, M	X				X			
ESCORAH								
FLEMING, S					X			
COUNCIL MEMBER	Y	N	MV	AB	Y	N	NV	AB
SCHUBERT, D					X			
ANDERSON, Pres								

COUNCIL MEMBER	Y	N	MV	AB	COUNCIL MEMBER	Y	N	MV	AB
EGAN, S	X				SCHUBERT, D	X			
ESCORAH					ANDERSON, Pres	X			
FLEMING	X								
FIRST READING/VOTE ON SEPTEMBER 18, 2019					M- MOVED, S- SECOND, NV- NO VOTE AB- ABSENT				

ADOPTED ON SECOND READING
DATED: October 2, 2019



COUNCIL PRESIDENT

ATTEST:


CITY CLERK

APPROVAL OF THE MAYOR ON THIS ^{4th} DAY OF OCTOBER, 2019.



MAYOR

APPROVALS:


CITY ADMINISTRATOR

CITY ATTORNEY
TKS/kc

Brunswick Surveying, Inc.

Land Surveyors

61 Stelton Road • Piscataway, New Jersey 08854

732.752.0100 • Fax 732.752.0101

email: brunswick.surveying@gmail.com

Robert M. Horvath, L.S.

Jay A. Stuhl, Jr., L.S.

Legal Description

N/F Storm Water Detention Pump Tank Easement

Abutting Block 57 Lots 54.01 (formerly 54, 55, 56 & 58) (Directly to the North)

City of New Brunswick-Middlesex County, NJ

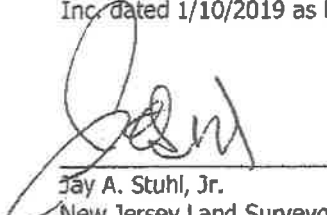
Beginning at a point along the northwesterly line of Hamilton Street, northeasterly 280.42' from the intersection of the northeasterly line of Hartwell Street with the northwesterly line of Hamilton Street and thence

1. N. 68 degrees 04 minutes 24 seconds E. 27.00' to a point and thence,
2. S. 21 degrees 55 minutes 36 seconds E. 7.12' to a point and thence,
3. S. 68 degrees 04 minutes 24 seconds W. 27.00' to a point and thence,
4. N. 21 degrees 55 minutes 36 seconds W. 7.12' to the point or place of beginning.

The above described lands are known as Abutting Lots 54.01 (formerly 54, 55, 56 & 58) in Block 57 as shown on the current Official Tax Maps of the City of New Brunswick.

Adjacent to Premises more commonly known as 191 Hamilton Street.

The above description is in accordance with a survey prepared by Brunswick Surveying, Inc. dated 1/10/2019 as File No. 1671-15.


Jay A. Stuhl, Jr.
New Jersey Land Surveyor No. 36762