

ORDINANCE OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE CITY OF NEW BRUNSWICK TO GRANT A 0.046 ACRE EASEMENT TO PSE&G OVER A PORTION OF BLOCK 309.04, LOT 1.03 IN THE TOWNSHIP OF EAST BRUNSWICK (FARRINGTON LAKE PROPERTY)

SECTION I

WHEREAS, the City of New Brunswick is the owner of Block 309.04, Lot 1.03 located near Farrington Lake in the Township of East Brunswick, County of Middlesex, State of New Jersey; and

WHEREAS, Public Service Electric and Gas Company ("PSE&G") is a public utility of the State of New Jersey; and

WHEREAS, the PJM Interconnection, L.L.C., the independent regional transmission organization that manages the high-voltage electricity grid in all or part of thirteen (13) states, including New Jersey, has authorized upgrades to the PSE&G overhead transmission lines for the Metuchen to Brunswick and the Brunswick to Trenton circuits in order to maintain and strengthen the redundancy and reliability of the PSE&G transmission system; and

WHEREAS, PSE&G has requested that the City of New Brunswick convey a permanent easement across a 0.046 acre (1,984 square feet) portion of Block 309.04, Lot 1.03 to facilitate proper clearances for the aforementioned upgrades to the PSE&G transmission system; and

WHEREAS, PSE&G presented an appraisal of the easement area for Block 309.04, Lot 1.03 and that appraisal determined the fair market value of the easement to be One Thousand Dollars (\$1,000.00); and

WHEREAS, the City Council believes said amount is a fair value for the easement based upon the City Tax Assessor's recommendation; and

WHEREAS, the City Council has determined it is in the best interests of the residents of the City to provide the easement to PSE&G as it will help ensure the reliable flow of sufficient electric power in the area.

SECTION II

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

1. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

2. GRANT OF EASEMENT

The City Council hereby authorizes the granting of a permanent easement over and under a 0.046 acre (1,936 square feet) portion of Block 309.04, Lot 1.03 in the Township of East Brunswick owned by the City of New Brunswick to PSE&G. This conveyance shall be for One Thousand Dollars (\$1,000.00) and other good and valuable consideration.

3. EXECUTION OF EASEMENT AUTHORIZED

(a) The Mayor, in consultation with legal counsel to the City, is hereby authorized and directed to execute the Grant of Easement, substantially in the form as it has been presented to the City Counsel and attached hereto as **Exhibit A**, subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel.

(b) The Clerk of the City is hereby authorized and directed, upon execution of the Grant of Easement in accordance with the terms of Section 3 (a) hereof, to attest to the signature of the Mayor upon such document and is hereby authorized and directed to affix the corporate seal of the City upon such document.

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: *MAY 2, 2018*



COUNCIL PRESIDENT

ADOPTED ON SECOND READING:

DATED:

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2018.

MAYOR

APPROVALS:



CITY ADMINISTRATOR



CITY ATTORNEY

TKS/kc

COUNCILMEMBER	Y	N	AB	NV	AB
ANDERSON, VP, M	X				
EGAN, S	X				
ESCHBAR, N	X				
SECORA LUDWIG				X	
FLEMING, Pcs				X	

FIRST READING: VOTE ON MAY 2, 2018 M= MOVED S= SECOND NV= NO VOTE AB= ABSENT