

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 07-2021



AN ORDINANCE AUTHORIZING THE BOROUGH TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT AND A PERMANENT EASEMENT WITH THE COUNTY OF MONMOUTH AFFECTING ITS REAL PROPERTY LOCATED AT 99 BREZA ROAD, ALSO KNOWN AS BLOCK 45, LOT 1.02 WITHIN THE TOWNSHIP OF UPPER FREEHOLD, FOR THE REPLACEMENT OF MONMOUTH COUNTY BRIDGE U-15.

WHEREAS, the Borough of Allentown, 8 N. Main Street, Allentown, NJ 08501 (hereinafter, the "Borough"), is a municipal corporation of the State of New Jersey and is authorized, pursuant to N.J.S.A. 40A:12-5, to grant easement interests in public property by Ordinance; and

WHEREAS, the Borough is the titled owner of real property located at 99 Breza Road, also known as Block 45, Lot 1.02 on the Tax Map of the Township of Upper Freehold (hereinafter, the "Borough's Property"); and

WHEREAS, the County of Monmouth (hereinafter, "Grantee") will replace its County Bridge No. U-15 on Breza Road within the Township of Upper Freehold, and requires a Temporary Construction Easement and Permanent Easement upon the Borough's Property in order to complete the construction and locate certain improvements necessary for the new bridge; and

WHEREAS, the Borough Engineer has reviewed Grantee's plans and the portions of the Borough's Property affected by Grantee's proposed Temporary Construction Easement and proposed Permanent Easement, and finds same to be acceptable and satisfactory; and

WHEREAS, the Borough is willing to grant said Temporary Construction Easement and Permanent Easement to the County of Monmouth insofar as the proposed replacement of County Bridge No. U-15 on Breza Road is in the best interests of the Borough and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey, as follows:

1. That the Governing Body does hereby approve the Temporary Construction Easement attached hereto as Exhibit A; and

2. That the Governing Body does hereby approve the Permanent Easement attached hereto as Exhibit B; and
3. That the Mayor is hereby authorized to execute said Temporary Construction Easement and Permanent Easement (together, the "Easements"); and
4. The Grantee shall be responsible for recording the Easements with the Monmouth County Clerk and all costs of the Easements shall be borne by the Grantee; and
5. That a certified copy of this Ordinance shall be forwarded to the Borough Administrator, Borough Engineer, and the Grantee.

BE IT FURTHER ORDAINED that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance; and

BE IT FURTHER ORDAINED that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

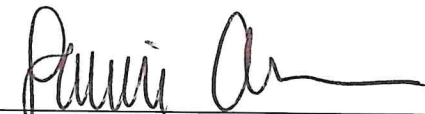
BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.



THOMAS C. FRITTS, Mayor

DATED: August 3, 2021

ATTEST:



LAURIE A. ROTH, Administrator/Clerk

DATED: August 3, 2021

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 7th day of JULY, 2021, at a meeting of the Mayor and Council of the Borough of Allentown and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Allentown to be held on the 31st day of August, 2021 at the Municipal Building, 8 N. Main Street, Allentown, NJ.



LAURIE A. ROTH, MAS, RMC, CMR
Municipal Administrator/Clerk