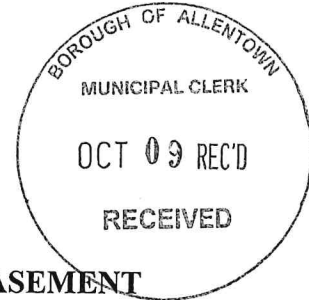


**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 19-2019



**AN ORDINANCE APPROVING AN ACCESS EASEMENT
WITH 28 CHURCH STREET, LLC AFFECTING THE
BOROUGH'S PROPERTY LOCATED AT 26 CHURCH
STREET, ALSO KNOWN AS BLOCK 17, LOT 60.**

WHEREAS, the Borough of Allentown, 8 N. Main Street, Allentown, New Jersey (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 26 Church Street, and also known as Block 17, Lot 60 on the Borough's Tax Map (hereinafter, the "Borough's Property"); and

WHEREAS, 28 Church Street, LLC (hereinafter, "Grantee") is the titled owner of real property located at 28 Church Street, and also known as Block 17, Lot 61 on the Borough's Tax Map (hereinafter, the "Grantee's Property"); and

WHEREAS, Grantee received certain approvals for the Grantee's Property from the Borough's Unified Planning and Zoning Board of Adjustment, a condition of which approvals is the acquiring of an access easement across the Borough's Property to enable access to a new entrance to the parking lot located upon the Applicant's Property; and

WHEREAS, Grantee has requested that the Borough provide Grantee with an access easement across the Borough's Property to satisfy the conditions of its land use approvals for Grantee's Property; and

WHEREAS, the Borough is willing to grant said access easement because the additional parking lot and new business use upon Grantee's Property is in the best interests of the economic welfare 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 Access Easement attached hereto as Exhibit A; and

2. That the Mayor is hereby authorized to execute the Easement;
3. The Borough shall be responsible for recording the Easement with the Monmouth County Clerk and all costs of the Easement shall be borne by the Grantee; and
4. That a certified copy of this Ordinance shall be forwarded to the the Borough Administrator, Borough Planning and Zoning Department, 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

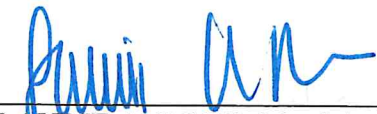
BE IT FURTHER ORDAINED that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of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

ATTEST:



GREGORY WESTFALL, Mayor



LAURIE A. ROTH, Municipal Clerk

DATED: 10/8/2019

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