

RESOLUTION 2017 - 313

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY ACCEPTING AND AUTHORIZING EXECUTION OF A SIDEWALK AND UTILITY EASEMENT AFFECTING A PORTION OF BLOCK 90.24, LOT 23 AND BLOCK 87.04, LOT 1, BARNEGAT TOWNSHIP, NEW JERSEY

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) has received a request from the developer of Sea Pines, D.R. Horton, Inc.-New Jersey (hereinafter referred to as the “developer”); and

WHEREAS, the request is that the Township accept and authorize execution of a Sidewalk and Utility Easement (hereinafter referred to as the “Easement”) dated August 1, 2017; and

WHEREAS, a copy of the Easement is on file at the office of the Township Clerk and can be reviewed by the public during normal business hours; and

WHEREAS, the purpose of the Easement is to comply with Barnegat Township Planning Board recommendations and requirements in conjunction with the prior approvals, and to grant a perpetual easement for the construction, installation, inspection, repair, maintenance, reconstruction, and replacement and public use of sidewalks over the subject property, as well as to utilize the easement area for placement of subsurface utility lines over, under and across the property; and

WHEREAS, the Easement has been reviewed by the Township Solicitor and the Township Consulting Engineer, each of whom have opined that the Easement is satisfactory and have recommended that the Easement Agreement be executed by the appropriate Township Representatives and Officers.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED, this 5th day of September, 2017, by the Township Committee of the Township of Barnegat, County of Ocean State of New Jersey as follows:

1. The Township accepts the recommendations of the Township Solicitor and Township Consulting Engineer and authorizes acceptance and execution of the aforementioned Easement Agreement, a true copy of which is on file with the office of the Township Clerk and can reviewed by the public during normal business hours.

2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- a.) Honorable Albert Bille, Mayor;
- b.) Martin Lisella, Township Administrator;
- c.) Jerry J. Dasti, Esquire;
- d.) John Hess, P.E., P.P.; and
- e.) Todd Green, Esquire, attorney for developer.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on September 5, 2017, a quorum being present and voting in the majority.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

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MICHELE RIVERS, RMC, TOWNSHIP CLERK

Prepared by:
**DASTI, MURPHY, McGUCKIN, ULAKY,
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Forked River, New Jersey 08731

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