

RESOLUTION NO. 2025-136

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN AND STATE OF NEW JERSEY ACCEPTING A DEED OF ACCESS AND UTILITY EASEMENT FROM EDWARD J. AND RUTH T. STANCZAK FOR PROPERTY KNOWN AS BLOCK 90.34, LOT 14

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (the “Township”) is in need of an access and utility easement for property known as Block 90.34, Lot 14 (the “Property”) pursuant to Planning Board Resolution P-2023-23 Edward J. Stanczak and Ruth T. Stanczak (“Grantors”) were required to execute a Deed of Access and Utility Easement to the Township for a 10-foot wide utility easement for the Property; and

WHEREAS, the Deed of Access and Utility Easement has been prepared and reviewed by the Township’s Professional staff and found to be acceptable, a copy of the Deed of Access and Utility Easement is attached hereto and made a part hereof; and

WHEREAS, the Township is desirous of authorizing acceptance of the Deed of Access and Utility Easement.

NOW THEREFORE BE IT RESOLVED this 4th day of March, 2025 by the Mayor and Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

1. The Township hereby accepts the Deed of Access and Utility Easement for the Property, a copy of which is attached hereto and made a part hereof.
2. The Grantors’ attorney shall have same executed and recorded in the office of the Ocean County Clerk and forward a recorded copy of same to the Township Engineer Kurt Otto, P.E. with a copy to the Township Attorney.
3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Alfonso Cirulli, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Kurt Otto, PE, Township Engineer
- (d) Christopher J. Dasti, Esq., Township Attorney
- (e) Todd D. Greene, Esq.

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on March 4, 2025, a quorum being present and voting in the majority.

Donna M. Manno, RMC
Municipal Clerk

Prepared by:

DASTI & STAIGER, P.C.

Prepared by: _____
Todd D. Greene, Esq.
Attorney at Law

DEED OF ACCESS AND UTILITY EASEMENT

This Deed of Access and Utility Easement is made on this _____ day of _____, 2025, by and between **EDWARD J. STANCZAK AND RUTH T. STANCZAK**, husband and wife, as tenants by the entirety, with an address of 101 Woodchuck Drive, Barnegat, New Jersey 08005 (collectively, referred to as "Grantor")

AND

BARNEGAT TOWNSHIP, a body politic, having offices at 900 West Bay Avenue, Barnegat, New Jersey 08005 (hereinafter called "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of the property designated as Block 90.34, Lot 14 on the tax map of the Township of Barnegat, Ocean County, New Jersey ("Grantor's Property"); and

NOW THEREFORE, in consideration of ONE DOLLAR AND 00/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants to Grantee the below utility easements subject to the following:

1. **Recitals.** The Recitals set forth above are incorporated by reference herein.
2. **Grant of Easement.** Pursuant to Resolution #P-2023-23, Grantor hereby grants to Grantee, its successors and assigns, the following perpetual non-exclusive 10' wide utility easement ("Utility Easement") in, under and across a portion of the Grantor's Property (the "Utility Easement Area"). The Utility Easement Area is more fully described on the "Plan of A Utility Easement Over Lot 14, Block 90.34" prepared by FWH Associates, P.A., attached hereto as **Exhibit A** and the metes and bounds description attached hereto as **Exhibit B**.
3. **Purpose.** The purpose of this Utility Easement is for the erection, construction, installation, extension and maintenance of utility infrastructure (including but not limited to electric lines, underground conduit and piping, transformers, switches, gear boxes, and other electric or utility equipment (herein sometimes referred to as "Utility Infrastructure") for the operation of the fountain located in Basin "B," depicted on the plans entitled "Final Major Subdivision Sea-Crest Pines -Basin B" prepared FWH Associates, P.A. last revised on November 26, 2024; said easement is intended to be an uninterrupted and unobstructed easement, under, across and over the Utility Easement Area, consisting of the right to erect, construct, install, use, inspect, repair, replace, remove, maintain, and preserve the Utility Infrastructure within the Utility Easement Area. This includes the right of Grantee or Grantee's designee, their employees, agents and contractors to enter the Utility Easement Area with the men

and machinery necessary to carry out the purposes of this Deed of Access and Utility Easement. Grantor shall at all times have the right to use the Utility Easement Area for any lawful purpose, provided however, that said use shall not interfere in any way with any of the purposes of this Deed of Access and Utility Easement.

4. **Governing Law.** This Deed of Access and Utility Easement shall be construed in accordance with the laws of the State of New Jersey. The written consent of the respective owners of each Property shall be necessary to modify, amend or terminate the within Deed of Access and Utility Easement.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

Witness:

_____ By: _____

EDWARD J. STANCZAK

Witness:

_____ By: _____

RUTH T. STANCZAK

ACKNOWLEDGMENT

STATE OF NEW JERSEY :
 ss:
COUNTY OF BURLINGTON :

I CERTIFY that on _____, 2025, **EDWARD J. STANCZAK AND RUTH T. STANCZAK**, husband and wife, personally came before me and acknowledged under oath, to my satisfaction, that this person (or more than one, each person):

- (a) is the Grantor named in this Deed of Access and Utility Easement;
- (b) signed, sealed and delivered this Deed of Access and Utility Easement as his/her voluntary act;
- (c) made this Deed of Access and Utility Easement for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. Such consideration is defined in N.J.S.A. 46:15-5.

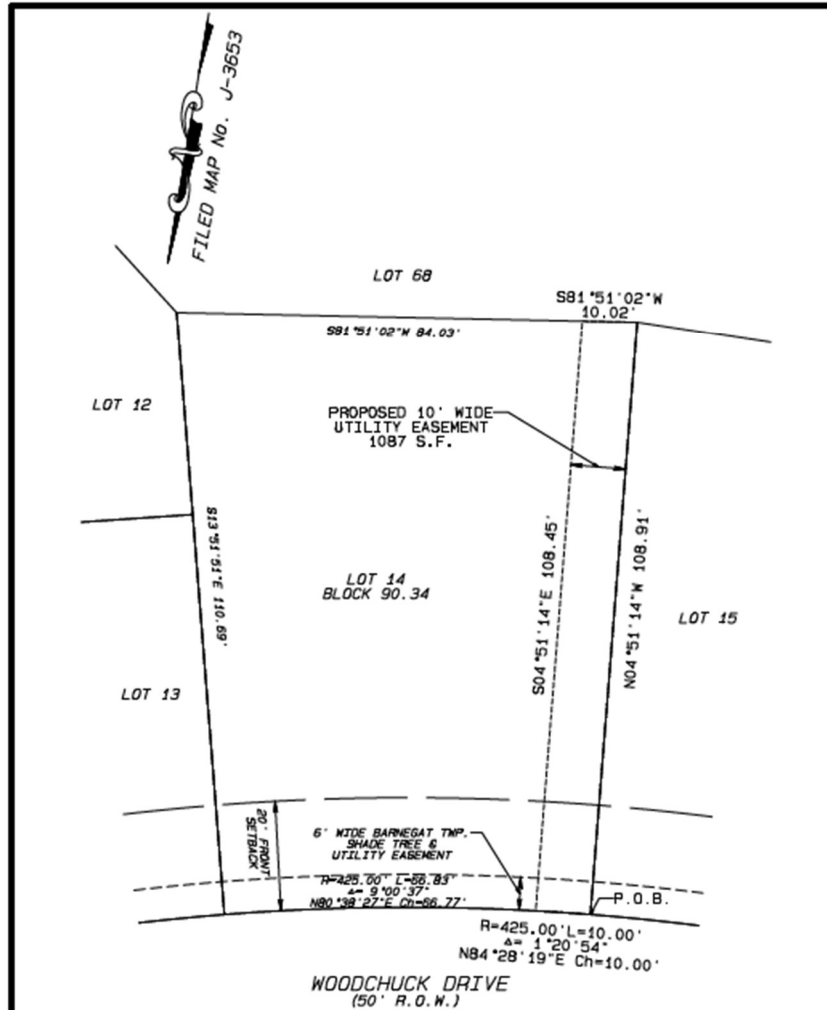
Notary Public

Record and Return to:

Todd D. Greene, Esq.
Giordano, Halleran & Ciesla, P.C.
125 Half Mile Road
Suite 300
Red Bank, New Jersey 07701-6777

EXHIBIT A

PLAN OF A UTILITY EASEMENT OVER LOT 14, BLOCK 90.34



MAP REFERENCE:
FINAL PLAT, FINAL MAJOR SUBDIVISION, FIFTH AVENUE TRACT - SECTION 2, SITUATED IN BARNEGAT TWP., OCEAN CO., NEW JERSEY AND RECORDED IN THE OFFICE OF THE OCEAN COUNTY CLERK ON APRIL 29, 2008 AS MAP NO. J-3653.

EXHIBIT 'A'	 CIVIL ENGINEERS LAND SURVEYORS SITE PLANNERS LANDSCAPE ARCHITECTS	1856 ROUTE 9 TOMS RIVER, NEW JERSEY 08755		VOICE (732) 797-3188 FAX (732) 797-3223	
		PLAN OF A UTILITY EASEMENT OVER LOT 14, BLOCK 90.34		DRAWN BY CJB	DATE 1/15/25
TAX LOT 14 TAX BLOCK 90.34 SITUATED IN BARNEGAT TOWNSHIP OCEAN COUNTY N.J.		 William P. Schemel PROFESSIONAL LAND SURVEYOR N.J. LIC. NO. 35275		CHECKED BY GLO	DRAWER NO.
		RELEASED BY WPS	PROJECT NO. 2475.0007	SHEET NO. 1	OF 1

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EXHIBIT B

METES AND BOUNDS DESCRIPTION OF UTILITY EASEMENT AREA



2475.0007
May 31, 2024


**DESCRIPTION OF
A UTILITY EASEMENT ON LOT 14, BLOCK 90.34
BARNEGAT TOWNSHIP,
OCEAN COUNTY, NEW JERSEY**

BEGINNING at a point in the Southerly line of Woodchuck Drive (50' right-of-way), said point being where the same is intersected by the division line between Lots 14 and 15 and running thence:

1. Along said Southerly line of Woodchuck Drive, Easterly along a curve to the left having a radius of 425.00 feet, an arc length of 10.00 feet, a chord bearing of North 84°28'19" East and a chord length of 10.00 feet to a point; thence
2. Over and through Lot 14, South 04°51'14" East, 108.45 feet to a point; thence
3. Along the division line between Lots 14 and 68, South 81°51'02" West, 10.02 feet to a point; thence
4. Along said division line between Lots 14 and 15, North 04°51'14" West, 108.91 feet to the point and place of BEGINNING.

Containing 1087 S.F., (0.025 AC)

Being known and designated as a portion of Lot 14 in Block 90.34 as shown on a map entitled: "Final Plat, Final Major Subdivision, Fifth Avenue Tract - Section 2, Situated in Barnegat Twp., Ocean Co., New Jersey", recorded in the Office of the Ocean County Clerk on 04/30/2008 as Map No. L-3653. Also being known and designated as a portion of Lot 14, Block 90.34 as shown on the Barnegat Township Tax Map.


William P. Schemel, P.L.S.
N.J. Professional Land Surveyor
License No. 36275