TOWN OF HACKETTSTOWN

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE TOWN OF HACKETTSTOWN

TO EXTINGUISH A 15' WIDE DRAINAGE EASEMENT IN RELATION TO THE PROPERTY DESIGNATED ON THE TAX MAP OF THE TOWN

AS BLOCK 21, LOT 18.03,

AS SUCH EASEMENT IS NO LONGER NECESSARY

WHEREAS, the Town of Hackettstown in 1979 was granted a fifteen (15) foot wide drainage easement by Bergen Machine And Tool Company, Inc. across property it owned that was designated on the Tax Map of the Town of Hackettstown as Block 21, Lot 18. Said easement was recorded by the Warren County Clerk in Deed Book No. 705, Page 106; and

WHEREAS, said easement was confirmed and restated in a Minor Subdivision Deed recorded by Jade Hackettstown Associates, LLC, successor in title to Bergen Machine And Tool Company, Inc. on February 24, 2015 in Deed Book No. 2598, Page 316. Said Deed subdivided former Lot 18 into Lots 18.01 and 18.02 in Block 21; and

WHEREAS, subsequent to the recording of the aforesaid Minor Subdivision Deed, Jade

Hackettstown Associates, LLC, conveyed title to the aforesaid lots to Hackettstown Crossing Associates, LLC; and

WHEREAS, Hackettstown Crossing Associates, LLC, subsequently applied for and received various land use approvals for these properties which, among other things, included a comprehensive storm water management system which rendered the former drainage easement unnecessary. In fact, the Subdivision Plat filed with the Warren County Clerk on February 3, 2023, identified this easement as to be "extinguished"; and

WHEREAS, Hackettstown Crossing Associates, LLC, requires the discharge by the Town of Hackettstown of this drainage easement to ensure that it is eliminated in the chain of title; and

WHEREAS, the Town Council agrees to extinguish or discharge this easement.

Now, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Hackettstown, County of Warren, State of New Jersey, that the original fifteen (15) foot wide drainage easement originally granted to the Town and recorded in Deed Book No. 705, Page 106, is hereby extinguished and discharged.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause thereof is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

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Repealer. Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Effective Date. This Ordinmce shall take effect upon final passage and publication as provided by law.

# NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced to pass on first reading at the regular meeting of the Town Council of the Town of Hackettstown, held on 13th day of April, 2023 at 7:00 P.M. and ordered published in accordance with the law. Said Ordinance shall be considered for final reading and adoption at a regular meeting of the Town Council of the Town of Hackettstown to be held on the ll th day of May, 2023 at 7:00 P.M., or as soon thereafter as the Town Council may hear this Ordinance at the Municipal Building, located at 215 West Stiger Street, Hackettstown, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Paola Reilly

Town Clerk

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