

**BOROUGH OF MILLTOWN
ORDINANCE NO. 20-1485**

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A DRAINAGE EASEMENT OVER A PORTION OF 52 SOUTH BROOK DRIVE (BLOCK 106.09, LOT 10) TO THE COUNTY OF MIDDLESEX

WHEREAS, the Borough of Milltown is the owner of certain property known and designated as 52 South Brook Drive, designated as Lot 10 in Block 106.09 on the Official Tax Maps of the Borough of Milltown (hereinafter the "Property") and

WHEREAS, the County of Middlesex requires a Drainage Easement over a portion of the Property in connection with improvements to Culvert 3-C-137 over Bog Brook; and

WHEREAS, the County of Middlesex has secured an appraisal dated November 25, 2019 from Gagliano & Company, which appraisal determined the value of the easement interest to be \$500.00; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the sale of real property to any political subdivision, agency, department, commission, board or body corporate and politic of the State of New Jersey or to an interstate agency or body of which the State of New Jersey is a member or to the United States or any department or agency thereof by private sale; and

WHEREAS, the governing body of the Borough of Milltown desires to convey a Permanent Drainage Easement over a portion of the Property to the County of Middlesex in connection with improvements to Culvert 3-C-137 over Bog Brook; and

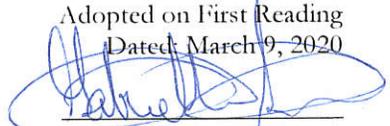
WHEREAS, the governing body has determined it to be in the best interests of the Borough and its residents for it to make the referenced disposition of the easement interest; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13, any sale of an interest in real property by a municipality to a County must be effectuated by the passage of an ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Milltown, in the County of Middlesex and State of New Jersey, as follows:

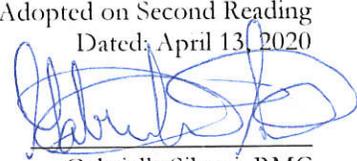
- Section 1.** The Mayor and Clerk are hereby authorized to execute a Drainage Easement Agreement for the sale of an easement interest in certain real property known and designated as a portion of 52 South Brook Dr, identified as Lot 10 in Block 106.09 on the Official Tax Maps of the Borough of Milltown for the sum of \$500.00.
- Section 2.** The Mayor and City Clerk are authorized to sign such additional documents as are deemed to be necessary, advisable and proper to convey the easement interest over the Property.
- Section 3.** Ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed but only to the extent of such inconsistency.
- Section 4.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
- Section 5.** This Ordinance shall take effect immediately upon:
 - i. Adoption; and
 - ii. Publication in accordance with the laws of the State of New Jersey.

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent
Second	Council President Parkas	X			
	Councilman Dixon	X			
Motion	Councilman Ligotti	X			
	Councilwoman Neubauer	X			
	Councilman Pareti				X
	Councilman Zambrana	X			

Adopted on First Reading
Dated: March 9, 2020


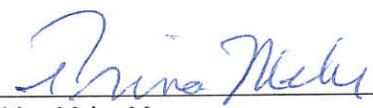
Gabriella Siboni, RMC
Borough Clerk

Motion/ Second	Roll Call	Aye	Nay	Abstain	Absent
Second	Council President Parkas	X			
	Councilman Dixon	X			
Motion	Councilman Ligotti	X			
	Councilwoman Neubauer	X			
	Councilman Pareti	X			
	Councilman Zambrana	X			

Adopted on Second Reading
Dated: April 13, 2020


Gabriella Siboni, RMC
Borough Clerk

Approval by the Mayor on this 13th day of April, 2020



Trina Mehr, Mayor