

ORDINANCE NO.: 19-15
INTRODUCTION DATE: 09-04-19
ADOPTION DATE: 09-18-19

**ORDINANCE AUTHORIZING THE EXCHANGE OF EASEMENT INTERESTS ON
LOT 21.06, BLOCK 62, MILLSTONE TOWNSHIP**

WHEREAS, there currently exists a conservation easement on Lot 21.06, Block 62 (the “Property”) which was conveyed to the Township of Millstone in 1999 (hereafter “Existing Conservation Easement”); and

WHEREAS, certain improvements were installed within the Existing Conservation Easement; and

WHEREAS, it is necessary for the Existing Conservation Easement to be reconfigured so that the improvements are not located within a conservation easement; and

WHEREAS, in order to accomplish the reconfiguration of the Existing Conservation Easement, the property owner will convey an easement to the Township for a new conservation easement area and the Township will convey its interest to the property owner for that portion of the Existing Conservation Easement where the improvements are located; and

WHEREAS, the new conservation easement area to be conveyed to the Township by the owner of the Property (the “Owner”) is described in attached Schedule A; and

WHEREAS, a portion of the Existing Conservation Easement which will be relinquished by the Township is described in attached Schedule B; and

WHEREAS, N.J.S.A. 40A:12-16 allows a municipality to exchange property interests when it is in the public interest to do so; and

WHEREAS, the Township Tax Assessor has evaluated the easements pursuant to the direction contained in N.J.S.A. 40A:12-16 and has concluded that the new easement areas the Township will be receiving is of equal value to the easement area it is relinquishing.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millstone as follows:

1. The value of the new easement areas the Township will be receiving is of equal value to the easement area it is relinquishing, based upon the evaluation of the Tax Assessor pursuant to N.J.S.A. 40A:12-16.

2. The Mayor and Township Clerk are hereby authorized to execute a Deed relinquishing a portion of the Existing Conservation Easement, as described in Schedule B, conditioned upon:

- a. The Owner of the Property conveying a valid and marketable title to the property interest described in Schedule A to the Township.
- b. The Owner removing the concrete area existing within the Schedule A described area.
- c. The Owner having six (6) Conservation Easement markers installed to the reasonable satisfaction of the Township Engineer, all as depicted on a certain sketch prepared by Crest Engineering Associates, revised through August 18, 2019 for the Property.

3. The Township Attorney and all other Township officials are hereby authorized to take any and all action reasonable and necessary in order to conclude the exchange of easements as described herein.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Millstone that this Ordinance shall take effect upon adoption, publication according to law.

EXPLANATORY STATEMENT: This Ordinance authorizes the exchange of easement interests on Lot 21.06, Block 62.

CREST

Engineering Associates Inc.

August 16, 2019

File No. 6040 (area-add)

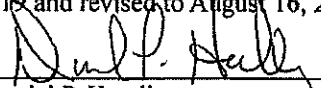
Description of area to be added to an existing Buffer and Conservation Easement as shown on a map entitled "File Map-Sherwood Forest Estates" as filed in the Monmouth County Clerk's Office on January 29, 1999 as Case No. 271-6, being a portion of Lot 21.06 in Block 62 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

Beginning at a point in the common line between Tax Map Lots 21.06 and 21.05 in Block 62, said point being located North 23 degrees 19 minutes 10 seconds East distant 81.31 feet along same from the intersections of said common line with the northerly right of way line of Mineral Spring Road (50 feet wide) and from said beginning point running:

1. North 66 degrees 40 minutes 50 seconds West along a line through Tax Map Lot 21.06 in Block 62, 57.90 feet to a point; thence
2. North 00 degrees 13 minutes 05 seconds East along same, 171.30 feet to a point; thence
3. South 55 degrees 47 minutes 41 seconds East along the southwesterly line of an existing Buffer and Conservation Easement, 127.41 feet to a point in the aforementioned common line between Tax Map Lots 21.06 and 21.05 in Block 62; thence
4. South 23 degrees 19 minutes 10 seconds West along same, 133.51 feet to the point and place of beginning.

Containing 12,913 square feet.

This description is made in accordance with a map entitled "Sketch of Proposed Buffer and Conservation Easement Modification - Lot 21.06, Block 62, Millstone Township, Monmouth County, New Jersey", by Crest Engineering Associates, Inc., dated July 17, 2018 and revised to August 16, 2019.


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CREST

Engineering Associates Inc.

August 16, 2019
File No. 6040 (area-remove)

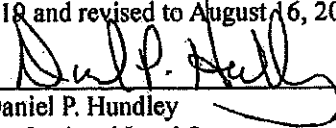
Description of area to be removed from an existing Buffer and Conservation Easement as shown on a map entitled "File Map-Sherwood Forest Estates" as filed in the Monmouth County Clerk's Office on January 29, 1999 as Case No. 271-6, being a portion of Lot 21.06 in Block 62 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

Beginning at a point in the southwesterly line of an existing Buffer and Conservation Easement, said point being located the following two (2) courses from the intersection of the common line between Tax Map Lots 21.06 and 21.05 in Block 62 with the northerly right of way line of Mineral Spring Road (50 feet wide) and from said beginning point running:

- A. North 23 degrees 19 minutes 10 seconds East along the common line between Tax Map Lots 21.06 and 21.05 in Block 62, 214.82 feet to a point; thence
- B. North 55 degrees 47 minutes 41 seconds West along the southwesterly line of an existing Buffer and Conservation Easement, 127.41 to the true point and place of beginning and running; thence
 1. North 55 degrees 47 minutes 41 seconds West along the southwesterly line of an existing Buffer and Conservation Easement, 216.39 feet to a point; thence
 2. North 71 degrees 23 minutes 47 seconds East along the common line between Tax Map Lots 21.06 and 16.02 in Block 62, 139.00 feet to a point; thence
 3. South 16 degrees 34 minutes 11 seconds East along a line through an existing Buffer and Conservation Easement, 86.19 feet to a point; thence
 4. South 66 degrees 29 minutes 21 seconds East along same, 25.00 feet to the point; thence
 5. South 00 degrees 13 minutes 05 seconds West still along same, 73.41 feet to the true point and place of beginning.

Containing 12,913 square feet.

This description is made in accordance with a map entitled "Sketch of Proposed Buffer and Conservation Easement Modification - Lot 21.06, Block 62, Millstone Township, Monmouth County, New Jersey", by Crest Engineering Associates, Inc., dated July 17, 2019 and revised to August 16, 2019.


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SCHEDULE "B"