

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

ORDINANCE #2024-02

The above ordinance, summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of South Orange Village, in the County of Essex, State of New Jersey, on February 12, 2024. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the virtually utilizing the Cisco WebEx Audio/Video System in the Village on March 11, 2024 at 7:00 o'clock p.m. Please monitor the Village's website at www.southorange.org, or please contact the Village Clerk's Office either by telephone at (973) 378-7715, ext. 1, or by email at clerksoffice@southorange.org for instructions on how to access to the meeting. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same. The Board of Trustees may adjourn the public hearing of this Ordinance to a date after March 11, 2024 without any further notice. The ordinance was introduced:

Title: AN ORDINANCE OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE EXTINGUISHING A CERTAIN EASEMENT RECORDED IN THE ESSEX COUNTY REGISTER'S OFFICE ON MAY 12, 1904 IN DEED BOOK P37 AT PAGE 215

WHEREAS, the Township of South Orange Village (the "Village") and Valley Street South Orange Urban Renewal, LLC (as successor by assignment from Storage Platform, LLC and the owner of the hereinafter described property) (the "Redeveloper") entered into a Redevelopment Agreement, dated July 2, 2021 (the "Redevelopment Agreement") concerning the redevelopment of certain property identified on the tax maps of the Village as Block 2303, Lot 1.01 (f/k/a Lots 1, 2, 3, 13 and 14) (the "Property") and

WHEREAS, the Property is subject to an existing sewer easement created by a certain indenture recorded in the Essex County Register's Office on May 12, 1904 in Deed Book P37, at Page 215 (the "Sewer Easement"), which grants rights to the Village to access and maintain a certain easement area located on a portion of the Property; and

WHEREAS, the Redevelopment Agreement required the Redeveloper to replace the existing sewer main and construct and hook-up a new sanitary sewer main relocated within the Village's right of way under Lackawanna Place; and

WHEREAS, the Board of Trustees of the Township of South Orange Village, upon the advice of its Village Counsel, finds that the Redeveloper has satisfied its obligations under the Redevelopment Agreement as it concerns disconnection of the existing sewer main and construction and hook-up of the new sanitary sewer main, thereby rendering the Sewer Easement unnecessary; and

WHEREAS, the Village wishes to formally terminate the Sewer Easement (as required under the Redevelopment Agreement) and the rights granted to the Village under the Sewer Easement.

NOW THEREFORE BE IT ORDAINED, by the Board of Trustees of the Township of South Orange Village, a municipal corporation of New Jersey located in Essex County thereof, as follows:

SECTION 1. Upon adoption of this Ordinance and subsequent filing of this Ordinance, together with the Termination and Vacation of Easement, the Sewer Easement recorded in the Essex County Register's Office on May 12, 1904 in Deed Book P47, at Page 215, shall be terminated, extinguished and vacated with no further force or effect.

SECTION 2. The Essex County Register is respectfully directed to discharge the Sewer Easement of record.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. This ordinance shall take effect upon final passage and publication as required by law.

SECTION 5. On passage, this ordinance shall NOT be codified.

Introduced: February 12, 2024

ATTEST:

Ojetti E. Davis, Village Clerk

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