

RESOLUTION NO. 2007-28

RESOLUTION MODIFYING DEED RESTRICTION

Mr. _____ offered the following resolution for adoption,
seconded by _____

RESOLUTION

WHEREAS, the Township of Aberdeen conveyed property known as Block 190, Lot 2 to James Schank, Jr. Pansy Schank on October 6, 1987. The Deed from the Township to Schank was recorded in Deed Book 4802 at Page 32 and contained a restriction that required the said Lot to be consolidated with a contiguous lot owned by Schank known as Block 190, Lot 3; and

WHEREAS, Schank subsequently conveyed Lot 3 to a third party without consolidating Lot 2 as required in the aforementioned Deed from the Township. Schank retained ownership of Lot 2 and now seeks to convey same to Mr. and Mrs. Ernest Lee; and

WHEREAS, Mr. and Mrs. Lee are under Contract to purchase Lots 1 and 2 in Block 190 from Schank and Percy Richardson. In order to complete said purchase, the Township must waive the lot consolidation requirement contained in Deed Book 4802 at Page 32. Lee has agreed to consolidate Lots 1 and 2 as a condition of the approval set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Lot consolidation condition set forth Deed Book 4802 at Page 32 is hereby waived and rescinded by the Township.

BE IT FURTHER RESOLVED that as a condition of the action taken herein, Lots 1 and 2 in Block 190 shall be consolidated into one lot by Deed to be approved by the Township attorney. VOTE:

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

DATED: