

## **TOWNSHIP OF ABERDEEN**

### **ORDINANCE NO. 6-2018**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT ON, OVER, AND UNDER PORTIONS OF LAND KNOWN AS BLOCK 210, LOT 3 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO FACILITATE REPAIRS TO A STORM SEWER PIPE**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2, the Township of Aberdeen (the “Township”) is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property or property interests for a public purpose through negotiated agreement; and

**WHEREAS**, the Township will inspect, clean, repair, and/or replace an eighteen inch (18') storm sewer pipe located at 249 Edgeview Road, Aberdeen, New Jersey, 07747 also known as Block 210, Lot 3 on the Official Tax Map of the Township of Aberdeen (the “Property”); and

**WHEREAS**, the scope of such work shall require entry onto the Property by the Township’s and/or the Township’s contractors; and

**WHEREAS**, the owners of the Property have agreed to allow the Township, its contractors and designees onto the Property in order to inspect, clean, repair, and/or replace the storm sewer pipe as further described in a Deed granting a Temporary Construction Easement to the Township, a copy of which is attached hereto as Exhibit “A”; and

**WHEREAS**, the Township Council desires that the aforesaid Temporary Construction Easement be acquired from the owners of the Property in order to effectuate the work to the storm sewer pipe located on the Property.

**NOW, THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Aberdeen, being the governing body thereof, County of Monmouth and State of New Jersey that it hereby authorizes the acquisition of a Temporary Construction Easement over Block 210, Lot 3, Township of Aberdeen, New Jersey, for the purposes and as set forth hereinabove; and

**BE IT FURTHER ORDAINED**, that the Mayor and Clerk are hereby authorized to execute and witness, respectively, the Deed granting the Temporary Easement attached hereto as Exhibit “A” or any other documents necessary to effectuate the Temporary Construction Easement; and

**BE IT FURTHER ORDAINED**, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect upon passage and publication in accordance with applicable law.

ATTEST:

ADOPTED:

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KAREN VENTURA,  
TOWNSHIP CLERK

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FRED TAGLIARINI  
MAYOR

I do hereby certify the above to be a true and exact copy of an Ordinance duly passed and adopted by the Township Council of the Township of Aberdeen at the Regular meeting of the Township Council held on \_\_\_\_\_, 2018 in the Township's Municipal Building, 1 Aberdeen Square, Aberdeen, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: \_\_\_\_\_, 2018

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Karen Ventura, Township Clerk