

Mayor Nolan offered the following Resolution and moved on its adoption:

Resolution R-11-234

Authorizing Administrator and Mayor to enter into a license or easement relating to Lot 15.01 Block 38.01 on the Borough of Highlands Tax Map

Whereas, the property known and designated as Block 38.01 Lot 15.01 and located at 23 Bay Avenue consists of a one story frame building and other physical improvements that encroach over the property line and in the Borough of Highlands Right of Way on both Bay Avenue and Shore Drive, in varying degrees, and

Whereas, these encroachments have pre-existed for a number of years, and pre-date the existing owner; and

Whereas, the property is being transferred and the pre-existing encroachments are considered a defect in title that prevent the transfer; and

Whereas, the Borough Council desires to alleviate the potential hardship on the owner and purchaser;

Now, therefore, be it resolved that the Borough Administrator and Mayor are hereby authorized to prepare and enter into a license or easement with the property owner allowing the encroachments to remain until such time as the Borough determines the area affected by the license or easement is required by the Borough for road widening or other public purpose.

Seconded by Mr. Redmond and adopted on the following Roll vote:

Roll Call Vote:

AYES: Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: Mr. O'Neil

ABSTAIN: None

DATE: December 7, 2011

Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Resolution R-11-234 adopted by the Governing Body of the Borough of Highlands on December 7, 2011.

Borough Clerk/Deputy Clerk

