

**Borough of Highlands
County of Monmouth
O-15-9**

**AN ORDINANCE ACCEPTING A SANITARY SEWER EASEMENT FOR BLOCK 1,
LOT 9.01 FROM THE CHARLES M. SCATURRO IRREVOCABLE TRUST, ROSARIO
SCATURRO IRREVOCABLE TRUST, CHARLES PAUL SCATURRO IRREVOCABLE
TRUST, AND PAUL SCATURRO IRREVOCABLE TRUST**

WHEREAS, N.J.S.A. 40A:12-14, authorizes a municipality to acquire easements; and

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of easements by municipalities be accomplished by ordinance; and

WHEREAS, on or about May 10, 2012, memorialized in Resolution No. PB#2012-5, the Borough of Highlands Planning Board granted Minor Site Plan, Lot Consolidation, and Variance/Design Waiver Approval to the application of Charles M. Scaturro Irrevocable Trust, Rosario Scaturro Irrevocable Trust, Charles Paul Scaturro Irrevocable Trust and the Paul Scaturro Irrevocable Trust (together known as “the Applicants”); and

WHEREAS, Resolution No. PB#2012-5 required the Applicants to convey certain easements to the Borough, as a condition of approval; and

WHEREAS, in connection with said Board approval, the Applicants desire to convey to the Borough the following easements over a portion of Block 1, Lot 9.01:

- Sanitary Sewer Easement for Block 1, Lot 9.01

WHEREAS, the Borough Engineer has determined that it would be appropriate for the Borough to accept the easement in a form acceptable to the Borough Attorney and the Engineer; and

WHEREAS, the Governing Body has determined that it would be appropriate for the Borough to accept the easement in a form acceptable to the Borough Attorney and the Engineer; and

NOW THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Highlands as follows:

(1) The Borough hereby accepts the following easement, in a form acceptable to the Borough Attorney and Borough Engineer, from the Applicants:

- Sanitary Sewer Easement for Block 1, Lot 9.01

(2) The Mayor, Clerk, and such other Borough officials as may be required, are hereby authorized to accept and execute the easement on behalf of the Borough. The fully-executed easement shall be recorded, as appropriate.

(3) SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

(4) REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

(5) EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
CARD		x	x			
KANE			x			
REDMOND						x
RYAN	x		x			
NOLAN						x

DATE: March 18, 2015

 Carolyn Cummins
 Borough Clerk

 Frank Nolan
 Mayor