

Borough of Highlands Public Notice

Please take notice that the following ordinance was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, on January 21, 2015. Notice is hereby given that the following ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Highlands Elementary School, 360 Navesink Avenue, Highlands, NJ 07732, on Wednesday, February 18, 2015 at 8:00 PM. At that time, the public is invited to participate in the discussion of the Ordinance. Copies of the Ordinance are available in the Municipal Clerk's Office located at 42 Shore Drive, Highlands, NJ and are posted on the Display Board at the Municipal Building. Copies are available at no charge to the general public.

O-15-5 Borough of Highlands County of Monmouth

AN ORDINANCE ACCEPTING VARIOUS DEEDS AND EASEMENTS FROM NAVESINK CAPITAL PARTNERS, LLC AND SANDY HOOK DEVELOPERS, LLC FOR BLOCK 101, LOT 27.02 AND LOT 27.03

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 March 13, 2014, memorialized in Resolution No. PB#2013-3, the Borough of Highlands Planning Board granted Final Site Plan Approval to Navesink Capital Partners, LLC ("Navesink") to construct a residential development on real property, including upon Block 101, Lot 27.02 and Lot 27.03; and

WHEREAS, Navesink is the owner of Block 101, Lot 27.02 and Sandy Hook Developers, LLC ("Sandy Hook") is the owner of Block 101, Lot 27.03; and

WHEREAS, Resolution No. PB#2013-3 required Navesink and Sandy Hook to convey certain deeds and easements to the Borough, as a condition of approval; and

WHEREAS, in connection with said Board approval, Navesink and Sandy Hook, the owners of the property, desire to convey to the Borough the following easements over a portion of Block 101, Lot 27.02 and Lot 27.03:

- Deed of Sight Triangle Easement for Block 101, Lot 27.02
- Stormwater Easement for Block 101, Lot 27.02

- Sanitary Sewer and Stormwater Easement for Block 101, Lot 27.03
- Sanitary Sewer Easement for Block 101, Lot 27.03
- Stormwater Easement for Block 101, Lot 27.03 (2,893 sq. ft., .07 acres)
- Stormwater Easement for Block 101, Lot 27.03 (724 sq. ft., .02 acres)

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

WHEREAS, the Governing Body has determined that it would be appropriate for the Borough to accept the easements and deeds, 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 deeds and easements, in a form acceptable to the Borough Attorney and Borough Engineer, from Navesink and Sandy Hook:

- Deed of Sight Triangle Easement for Block 101, Lot 27.02
- Stormwater Easement for Block 101, Lot 27.02
- Sanitary Sewer and Stormwater Easement for Block 101, Lot 27.03
- Sanitary Sewer Easement for Block 101, Lot 27.03
- Stormwater Easement for Block 101, Lot 27.03 (2,893 sq. ft., .07 acres)
- Stormwater Easement for Block 101, Lot 27.03 (724 sq. ft., .02 acres)

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

Carolyn Cummins
Borough Clerk