

**HAINESPORT TOWNSHIP**

**ORDINANCE NO. 2016-13-9**

**AMENDED GRANTING OF EASEMENT FOR STORM SEWER  
UNDER, THROUGH AND ACROSS GREENWOOD AVENUE**

**WHEREAS**, the Joint Land Use Review Board of the Township of Hainesport (the “Board”) previously adopted Resolution No. 2015-08 approving a Preliminary and Final Site Plan involving Block 58.01, Lots 1-6 and Block 62.01, Lot 1 (to be consolidated into one lot known as Block 62.01, Lot 1), located at 1462 Route 38 (the “Property”), owned by the applicant, Hainesport Enterprise, Inc., for the construction of a new 13,000 square foot building and other site improvements for its Hainesport Auto and Truck repair facility; and

**WHEREAS**, said Site Plan was designed with a storm sewer system requiring the Township of Hainesport (the “Township”) grant an easement to Hainesport Enterprises, Inc., for the construction of a portion of the storm sewer system in and under lands of the Township known as a portion of Greenwood Avenue, located between Iowa and Haines Avenues; and

**WHEREAS**, the portion of Greenwood Avenue between Iowa and Haines Avenue is an unimproved paper street owned by the Township; and

**WHEREAS**, the Township has determined that this portion of Greenwood Avenue is not needed for a public right of way for access or for any other public use; and

**WHEREAS**, the Township Committee of the Township desires to grant a storm sewer easement to Hainesport Enterprises, Inc., in accord with the Storm Sewer Easement attached hereto, prepared by Douglas L. Heinold, Esquire.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Township Committee of the Township of Hainesport as follows:

Section 1. The Township of Hainesport hereby grants an easement to Hainesport Enterprise, Inc. for the construction of a storm sewer system, as further explained above and more specifically set forth on the attached Storm Sewer Easement, as prepared by Douglas L. Heinold, Esquire, attached hereto and authorizes the Mayor and Township Clerk to execute same on behalf of the Township.

Section 2. This Ordinance is contingent upon the perfection of the other conditions of approval associated with the above-referenced approval, and in the event the Preliminary and Final Site Plan is not perfected within the timeline provided under the Municipal Land Use Law or such extensions granted thereto, this Ordinance shall be void and of no force and effect.

Section 3. Repealer. Any Ordinances inconsistent with this ordinance are hereby repealed to the extent of its inconsistency.

Section 4. Severability. If any provision of this Ordinance is deemed unlawful by a Court is found to be contrary to law by a court of competent jurisdiction, such provision shall be of no force or effect; but the remainder of this Agreement shall continue in full force and effect.

Section 5. Effective date. This Ordinance shall take effect upon proper passage in accordance with the law.

Section 6. Filing. This Ordinance shall be filed with the County Clerk within 60 days of passage in accord with the law.

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Leo F. Selb, Jr., RMC

Township Clerk

	Motion	Second	Ayes	Nays	Abstention	Absent
Krollfeifer			X			
Porto	X		X			
Fitzpatrick			X			
Dickinson			X			
Clauss		X	X			

**NOTICE OF FINAL PASSAGE**

**HAINESPORT TOWNSHIP  
ORDINANCE NO. 2016-13-9**

**ORDINANCE OF THE TOWNSHIP OF HAINESPORT,  
COUNTY OF BURLINGTON, STATE OF NEW JERSEY EASEMENTS FOR  
GREENWOOD AVENUE**

Notice is hereby given that Ordinance 2016-13-9 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on October 11, 2016. Said Ordinance shall take effect in accordance with law.

ATTEST:

Dated: \_\_\_\_\_

\_\_\_\_\_

Leo F. Selb, Jr.  
Township Administrator/Clerk

ACKNOWLEDGEMENT OF  
APPROVAL BY:

Dated: \_\_\_\_\_

\_\_\_\_\_

Michael Dickinson  
Mayor of Hainesport Township

	Motion	Second	Ayes	Nays	Abstention	Absent
Krollfeifer		X	X			
Porto			X			
Fitzpatrick			X			
Dickinson			X			
Clauss	X		X			

Introduced: September 13, 2016  
First Publication: September 18, 2016  
Adoption: October 11, 2016  
Final Publication: October 26, 2016