

TOWNSHIP OF MANALAPAN
ORDINANCE NO. 2015-10

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANALAPAN VACATING ALL RIGHT, TITLE AND INTEREST IN AND TO A CERTAIN EASEMENT OVER AND THROUGH LOTS 154-181 IN BLOCK 2904 ON THE TAX ASSESSMENT MAP AND LOCATED ON PINE TREE LANE IN THE TOWNSHIP OF MANALAPAN.

WHEREAS, the Tax Assessment Map of the Township of Manalapan, at page 10.01, indicates the existence of a “drainage and conservation easement” dedicated to the Township of Manalapan along the rear property lines of Lots 154 through 181 in Block 2904; and

WHEREAS, a title search has determined that the aforesaid “drainage and conservation easement” was created by dedication on a filed map entitled “Amended Final Plat of Forest Hills Estates”, which was filed in the Monmouth County Clerk’s Office on March 23, 1989 in case 231, sheet 13; and

WHEREAS, the Township of Manalapan has previously modified the terms and conditions of the aforesaid easement to retain only a buffer easement over the areas in question as set forth in Ordinance No 2010-14, adopted September 15, 2010; and

WHEREAS, the Township Committee finds that the original purpose of the easement in maintaining preexisting vegetation no longer exists, as nearly all of the preexisting vegetation up to the rear lot line of each residential lot covered by the easement has been cleared; and

WHEREAS, the Township Committee finds that the continued existence of the easement presents an undue burden upon and no longer provides any benefit to the properties in question and that the easement should, therefore, be vacated;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Manalapan, County of Monmouth in the State of New Jersey, as follows:

1. All right, title and interest acquired by the Township of Manalapan in and to the properties known as Lots 154 through 181 in Block 2904 as dedicated by the filed map referred to herein, be and the same are hereby vacated.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute and the Township Attorney is be and is hereby authorized to record an appropriate instrument in order to vacate the aforesaid easement of record.
3. That certified copies of this Ordinance shall be provided by the Township Clerk to the Township Engineer, the Township Tax Assessor and the Planning Board.
4. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
5. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.
6. This Ordinance shall take effect upon its passage and publication according to law.

NOTICE OF PUBLIC HEARING

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on [April 22, 2015](#) and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on [May 13, 2015](#) at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site www.mtnj.org by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of [May 13, 2015](#).

REGINA PRETEROTI, RMC
Municipal Clerk