

**TOWNSHIP OF MANALAPAN
ORDINANCE NO. 2019-13**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MANALAPAN VACATING ALL RIGHT, TITLE AND INTEREST IN AND TO A
CERTAIN CEMETERY CONSERVATION EASEMENT AND A CERTAIN ACCESS
EASEMENT OVER AND THROUGH LOT 25 IN BLOCK 8422 LOCATED ON
CRYSTAL COURT IN THE TOWNSHIP OF MANALAPAN**

WHEREAS, in connection with the development of a major subdivision known as Waterford Estates, a 10' wide access easement and a cemetery conservation easement was dedicated to the Township of Manalapan; and

WHEREAS, the aforesaid cemetery conservation and access easements were to provide for the conservation of access to a burial ground thought to exist on the aforesaid property, based on reservations in prior deeds in the chain of title; and

WHEREAS, all surviving heirs of the grantees of the aforesaid reservation have executed appropriate deeds to transfer any rights they may have in the alleged burial ground to the current owners of the property; and

WHEREAS, it has been determined that the area of Lot 25 in question more than likely was not used as a burial ground; and

WHEREAS, the Manalapan Township Planning Board has recently approved an application to amend the subdivision approval granted for Waterford Estates to eliminate the requirement that the cemetery conservation and access easement be maintained;

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

SECTION ONE. All right, title and interest acquired by the Township of Manalapan in and to that portion the property known as Lot 25 in Block 8422 dedicated as cemetery conservation and access easements on the Final Plat of the Major Subdivision known as Waterford Estates, be and the same are hereby vacated.

SECTION TWO. The Mayor and Township Clerk be and are hereby authorized and directed to execute and the Township Attorney be and is hereby authorized to record an appropriate instrument in order to vacate the aforesaid cemetery conservation and access easements of record.

SECTION THREE. 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.

SECTION FOUR. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE. 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.

SECTION SIX. 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 June 12, 2019 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 Wednesday, July 10, 2019 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 July 10, 2019.

REGINA PRETEROTI, RMC
Municipal Clerk