



Legislation Details (With Text)

<b>File #:</b>	20-0520	<b>Version:</b>	1	<b>Name:</b>	NJDOT Route 46 - Easement Ordinance
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	4/22/2020	<b>In control:</b>		<b>In control:</b>	Water Sewer Utility
<b>On agenda:</b>	5/20/2020	<b>Final action:</b>		<b>Final action:</b>	6/24/2020

**Title:** ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT EASEMENT OVER CITY-OWNED PROPERTY AS INDICATED ON THE AGREEMENT AND MAP ENTITLED "PARCEL E121" TO THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION, IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(1) FOR THE SUM OF \$1,000.00 AT THE INTERSECTION OF NOTCH ROAD AND ROUTE 46 (EASTBOUND SIDE), TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY, BLOCK 184.03, LOT 14.01.

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/24/2020	1	Municipal Council	Close on Public Hearing and Adopt	Pass
6/10/2020	1	Municipal Council	Adopt on First Reading	Pass
5/20/2020	1	Municipal Council	Advance to First Reading	Pass

**ORDINANCE APPROVING THE CONVEYANCE OF A PERMANENT EASEMENT OVER CITY-OWNED PROPERTY AS INDICATED ON THE AGREEMENT AND MAP ENTITLED "PARCEL E121" TO THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION, IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(1) FOR THE SUM OF \$1,000.00 AT THE INTERSECTION OF NOTCH ROAD AND ROUTE 46 (EASTBOUND SIDE), TOWNSHIP OF LITTLE FALLS, PASSAIC COUNTY, NEW JERSEY, BLOCK 184.03, LOT 14.01.**

**WHEREAS**, the City of Newark (the "City") is the owner of property located at the intersection of Notch Road and Route 46 (eastbound side), Township of Little Falls, Passaic County, New Jersey, also known as Tax Block 184.03, Lot 14.01, (the "Property"); and

**WHEREAS**, the New Jersey Department of Transportation ("NJDOT") seeks to acquire an easement on a portion of the Property; and

**WHEREAS**, the City has negotiated the Agreement (the "Agreement") with NJDOT, annexed hereto as Exhibit "A", outlining the terms of purchase of the Property; and

**WHEREAS**, the Agreement provides for a Permanent Easement on a portion of the Property, known as "Parcel E121", as described on the Metes and Bounds Description annexed to the Agreement as Schedule "A", and the Map entitled "Parcel E121" annexed to the Agreement as Exhibit "B"; and

**WHEREAS**, the City has determined that Parcel E121 is no longer needed for public use; and

**WHEREAS**, NJDOT has provided an appraisal, annexed to the Agreement as Exhibit “C”, dated January 16, 2018, performed by Robert J. Mc Gill, which values the Permanent Easement at One Thousand Dollars and Zero Cents (\$1,000.00); and

**WHEREAS**, pursuant to Local Lands and Buildings Law, N.J.S.A. 40A: 12-13(b)(1), the City is authorized to convey property that is not needed for municipal purposes to any department of the State of New Jersey without public bidding; and

**WHEREAS**, the Parcel is at the intersection of Notch Road and Route 46 (eastbound side), Township of Little Falls, Passaic County, New Jersey; and

**WHEREAS**, NJDOT desires to acquire the easement on the Property from the City for planned construction and is being acquired by NJDOT in accordance with the Eminent Domain Act for the appraised value of One Thousand Dollars and Zero Cents (\$1,000.00) pursuant to N.J.S.A. 40A:12-13(b)(1).

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**SECTION 1.** The City hereby authorizes that a Permanent Easement on a portion of the City-owned property located at the intersection of Notch Road and Route 46 (eastbound side), Township of Little Falls, Passaic County, New Jersey, known on the Tax Maps of the City of Newark known as Block 184.03, Lot 14.01 described as Parcel E121 (on the metes and bounds description (Schedule “A”) and Map entitled “Parcel E121” (Exhibit “B”) annexed to the Agreement) be granted to the State of New Jersey Department of Transportation, a public body corporate and politic, for the planned construction and is being acquired by NJDOT in accordance with the Eminent Domain Act for the appraised value of One Thousand Dollars and Zero Cents (\$1,000.00), pursuant to N.J.S.A. 40A:12-13(b)(1).

**SECTION 2.** The Director of the Department of Water and Sewer Utilities is hereby authorized to enter into and execute the Agreement, in the form attached hereto, granting a Permanent Easement on a portion of the City property located at the intersection of Notch Road and Route 46 (eastbound side), Township of Little Falls, Passaic County, New Jersey, known on the Tax Maps of the City of Newark as Block 184.03, Lot 14.01 described as Parcel E121, any and all other documents which may be necessary, in order to effectuate the Permanent Easement on the above property all in forms subject to the approval of the City’s Corporation Counsel.

**SECTION 3.** The Director of Finance is hereby authorized to place the consideration of \$1,000.00 in the Redevelopment Trust Fund.

**SECTION 4.** The Director of the Department of Water and Sewer Utilities shall place a copy of the executed Agreement on file in the Office of the City Clerk.

**SECTION 5.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

## **STATEMENT**

Ordinance allowing the City of Newark to convey a Permanent Easement, on a portion of City-owned property, not needed for public use, located at the intersection of Notch Road and Route 46 (eastbound side), Township of Little Falls, Passaic County, New Jersey, known on the Tax Maps of the City of Newark as Block 184.03, Lot 14.01 and described as Parcel E121 to the New Jersey Department of Transportation, in accordance with the Eminent Domain Act, for the appraised value of One Thousand and Zero Cents (\$1,000.00) pursuant to N.J.S.A. 40A:12-13(b)(1).