

**ORD.#5-2021**

Ordinance of the Township of Mount Olive, in the County of Morris and State of New Jersey, Authorizing Acceptance of a Deed of Roadway Dedication for a Portion of the Property at 89 Crease Road. (Block 1201, Lot 2.02)

**CLERK:**

Delivered to Mayor:

Date: 3/10/2021

Time: 9:45 am

Signed: \_\_\_\_\_

Township Clerk  
Michelle Masser

**MAYOR:**

Action by Mayor:

Approved: ✓

Date: 3-10-2021

Vetoed: \_\_\_\_\_

Date: \_\_\_\_\_

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: \_\_\_\_\_

Mayor

**CLERK:**

Returned:

Date: 3/10/21

Time: 10:05 am

Not returned with in (10) days

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Township Clerk

**ORD.#5-2021**

**ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, IN THE  
COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING  
ACCEPTANCE OF A DEED OF ROADWAY DEDICATION FOR A  
PORTION OF THE PROPERTY AT 89 CREASE ROAD (BLOCK 1201,  
LOT 2.02)**

**WHEREAS**, the Township Council of the Township of Mount Olive wishes to accept a Deed of Roadway Dedication for a portion of Block 1201, Lot 2.02, by Excel Property Group, LLC in connection with a dedication for roadway purposes; and

**WHEREAS**, this conveyance is being made in accordance with the perfection of the variance approval issued by the Township of Mount Olive Planning Board, as memorialized by Resolution No. 10-23 adopted by the Planning Board on August 8, 2019; and

**WHEREAS**, the Township Engineer and Township Attorney have reviewed the Deed of Roadway Dedication and found it acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Township of Mount Olive, in the County of Morris and State of New Jersey, as follows:

1. The Township hereby authorizes and accepts the executed Deed of Dedication dated August 25, 2020 between Excel Property Group, LLC as Grantor and the Township as Grantee, which Deed is attached hereto and incorporated herein as Exhibit A.
2. The Township Clerk shall forward a certified copy of this ordinance to Grantor for recording.
3. The Deed of Dedication shall be placed on file with the Township Clerk.

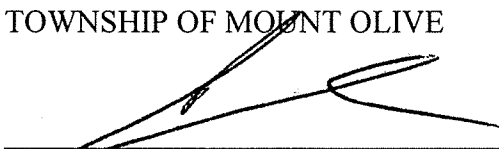
**BE IT FURTHER ORDAINED** that this Ordinance shall This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 2/23/2021

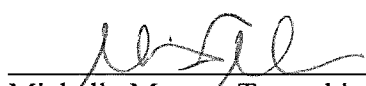
Adopted: 3/9/2021

Effective Date: 4/2/2021

TOWNSHIP OF MOUNT OLIVE

  
\_\_\_\_\_  
Joe Nicastro, Township Council President

ATTEST: 3/9/2021

  
\_\_\_\_\_  
Michelle Masser, Township Clerk

Prepared by:

Jeffery A. Siedsma, Esq.

## DEED OF DEDICATION

This indenture, made this 25 day of August, 2020

**By and Between** EXCEL PROPERTY GROUP, LLC whose mailing address is 278 Route 46, Rockaway, NJ 07866, hereinafter referred to as 'Grantor'

**And**

Township of Mount Olive, a municipal corporation of the State of New Jersey, County of Morris, having its principal office located at 204 Flanders-Drakestown Rd, Budd Lake, NJ 07828, herein referred to as 'Grantee'.

**Witnesseth:**

The Grantor, in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, does hereby give, grant, and convey to the Grantee, its successors and assigns forever, Roadway Dedication, as described in the attached 'Schedule A', a property of the Grantor, situate in the Township of Mount Olive, County of Morris, and State of New Jersey, and more particularly described in the attached 'Schedule A' attached hereto and made part hereof.

Being and intended to describe a portion of Lot(s) 2.02, Block 1201, as a Roadway Dedication, conveyed to the Grantee for the purpose of dedicating to the Township of Mount Olive 25 feet from the existing center line of Crease Road frontage on Lot 2.02, Block 1201.

To Have and to Hold the above granted Roadway Dedication unto the said Grantee, its successors and assigns forever.

Grantor does covenant with the said Grantee that it is lawfully seized of the land and has good and lawful right to convey any part thereof.

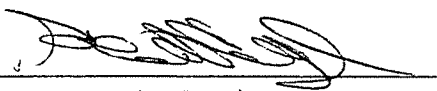
And the Grantor does covenant with the said Grantee as follows:

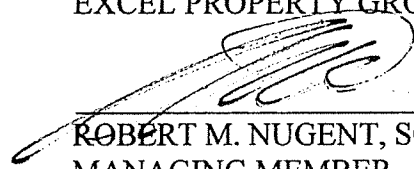
1. That the said Grantor has good and marketable title to the premises detailed in 'Schedule A' attached hereto and made a part hereof.
2. That the Grantee shall quietly enjoy the said property without disturbance and interference.
3. That the said property is free and clear from encumbrances.

**Promises by the Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a 'covenant as to a grantor's acts' (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such by making a mortgage or allowing a judgment to be entered against the Grantor).

In Witness Whereof, the said Grantor has caused these presents to be signed and sealed the day and year first above written.

**WITNESS:**

  
Scott Eagleson

EXCEL PROPERTY GROUP, LLC  
  
ROBERT M. NUGENT, SOLE AND  
MANAGING MEMBER

STATE OF NEW JERSEY COUNTY OF MORRIS, SS:

I certify that on August 26, 2020, Robert M. Nugent, sole and managing member of Excel Property Group, LLC, personally came before me and acknowledged under oath, to my satisfaction, that these persons:

- a. are named in and personally signed this Deed;
- b. signed, sealed and delivered this Deed as their own act and deed;
- c. made this Deed for the sum of \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5).

  
NOTARY PUBLIC

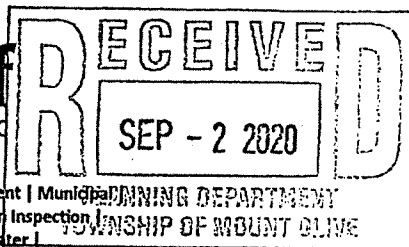
**Record & Return to:**

Jeffery A. Siedsma, Esq.  
Carlson Siedsma LLP  
84 Washington St.  
Morristown, NJ 07960





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Stormwater Management | Surveying | Planning | Landscape Architecture



Nell I. Van Cleef, P.E., L.S. & P.P.  
Robert J. Clerico, P.E., P.P., CME, CPWM  
Samuel D. Costanzo, P.E. & P.P.  
Cynthia V. Norfleet, COO  
Mark A. Bahnick, P.E.  
Lawrence M. Diffley, P.E., PTOE  
Michael K. Ford, P.E., P.P.  
Jeffrey W. Munzing, P.E.  
Stanley J. Schrek, P.E., A.I.A., P.P., CME, LEED AP  
Herbert J. Seeburger, Jr., P.E., CME, CPWM

VIA EMAIL

September 1, 2020

Mary Strain, Planning Board Secretary  
Township of Mount Olive  
204 Flanders-Drakestown Road  
P. O. Box 450  
Budd Lake, NJ 07828

Reference: Application No. PB 10-23 (Variance Application)  
Richard and Lydia Bruno  
89 Crease Road  
Block 1201, Lot 2.02  
Township of Mount Olive  
VCEA Project No. 5190.048

Dear Ms. Strain:

We are in receipt of the following revised and supplemental information pertaining to the above-referenced application:

1. Plans entitled, "Grading and Utilities Plan, Sewage Disposal System Plan, Proposed Single-Family Dwelling, Tax Lot 2.02, Block 1201, Sheet 12, Zoning District RR-AA, The Township of Mount Olive, Morris County, New Jersey". The plans prepared by Cunningham Engineering & Design, LLC (Robert M. Cunningham, P.E.), consists of 2 sheets and are dated with a latest revision date of August 12, 2020;
2. August 12, 2020 Cunningham Engineering & Design, LLC correspondence (Robert M. Cunningham, P.E.) with attachments;
3. Description entitled, "Description of 8.5' Wide Roadway Dedication from Lot 2.02 in Block 1201 to the Township of Mount Olive, Morris County, New Jersey". The description prepared by Solstice Surveying (David P. Aguanno, PLS) is dated August 20, 2020; and
4. Township of Mt. Olive Planning Board Resolution No. 10-23.

We have reviewed the aforementioned information along with project file. Based on this review we offer the following (Item letters refer to the Condition lettering noted in the 2011 Approval Resolution):

- A. All Revised Plans shall be reviewed and approved by the Township Engineer and Township Planner.

**Comment:** We find the revised plans to be acceptable from an engineering prospective.

VanCleefEngineering.com

Please Reply To:

**NORTHERN NJ OFFICE**

111 Howard Boulevard, Suite 110 • Mt. Arlington NJ 07856  
862.284.1100 • Fax: 862.284.2033

With Other Offices In:

Hillsborough NJ • Lebanon NJ • Freehold NJ • Phillipsburg NJ  
Toms River NJ • Hamilton NJ • Doylestown PA • Bethlehem PA  
Mechanicsburg PA • Leesport PA • Newark DE



September 1, 2020

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89 Crease Road  
Block 1201, Lot 2.02  
Township of Mount Olive  
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E. Soil logs shall be submitted to the Township Engineer demonstrating that soil has sufficient permeability rates to assure that the drywells function as designed.

**Comment:** We find the soil log information to be acceptable from an engineering prospective. We note drywells have been replaced with an infiltration trench. We have no objection to the modification.

J. The applicant shall convey to the Township a roadway dedication of 25 feet from the existing center line of Crease Road and shall submit an appropriate Deed of Dedication/Conveyance, together with the appropriate mete and bounds description to the Township Engineer and Township Attorney for review and approval.

**Comment:** We find the description to be acceptable from an engineering prospective. A deed needs to be prepared and recorded for the dedication. The form of deed will need to be provided to the Township Attorney for review and approval before recording.

Please contact me should you have any questions.

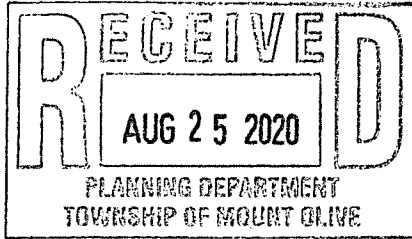
Very truly yours,

Van Cleef Engineering Associates, LLC

A handwritten signature in black ink, appearing to read "Michael G. Vreeland". The signature is fluid and cursive.

Michael G. Vreeland  
Board Engineer  
For the Firm

cc: Chuck McGroarty, P.P., AICP (via email [cmcgroarty@mtolivetwp.org](mailto:cmcgroarty@mtolivetwp.org))



113 Upper Sunset Drive  
Long Valley, NJ 07853  
T: (973) 647-8664  
E: daguanno@solsticesurveying.com

**Description of  
8.5' Wide Roadway Dedication from Lot 2.02 in Block 1201 to the  
Township of Mount Olive, Morris County, New Jersey**

All that certain Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Mount Olive, County of Morris, State of New Jersey; said lot,

**BEGINNING** at an iron found along the division line between Lot 2.02 and Lot 3 in Block 1201, said point residing 25.00 feet from the centerline of Crease Road, running thence:

1. Parallel with and distant 25.00 feet from the centerline of Crease Road, **S 18° 00' 00" W** for a distance of **548.47 feet** to a point, thence;
2. Along the division line between Lot 2.02 & Lot 1 in Block 1201, **S 67° 13' 20" W** for a distance of **11.23 feet** to a point, thence;
3. Parallel with and distant 16.50 feet from the centerline of Crease Road, **N 18° 00' 00" E** for a distance of **555.77 feet** to a point, thence;
4. **S 72° 00' 00" E** for a distance of **8.50 feet** to the point and place of BEGINNING.

Said 8.5 foot wide dedication containing an area of 4,695 square feet or 0.108 acres of land, more or less.

This description was prepared in accordance with plan entitled, "Lot Re-Development Plan, Tree Planting Plan, Proposed Single-Family Dwelling, Tax Lot 2.02, Block 1201, Sheet 12, Zoning District RR-AA, The Township of Mount Olive, Morris County, New Jersey," dated July 24, 2020 and prepared by Cunningham Engineering & Design, LLC

08/20/2020

David P. Aguanno, P.L.S.  
NJ License No. 24GS04330500