

Ord. #16-2012

AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO ACCEPT THE DEDICATION OF A DEED OF EASEMENT FOR A SIGHT TRIANGLE FROM CIEL WEST LAKE PROPERTIES, LLC, AS FURTHER DESCRIBED HEREIN AND PURSUANT TO THE TERMS AND CONDITIONS OF THIS ORDINANCE

WHEREAS, Ciel West Lake Properties, LLC ("Grantor") is the owner of land designated as Block 7702, Lot 21 on the official tax map of the Township of Mount Olive, a portion of which is intended to be utilized as a sight triangle; and

WHEREAS, the sight triangle easement shall be subject to such conditions and restrictions as are described in the deed of dedication with respect to maintenance by the Grantor of required lines of sight from the roadway and for pedestrians, and ensuring an absence of visual obstruction; and

WHEREAS, the sight triangle easement shall convey to the Township of Mount Olive the right to provide written notice to the Grantor of any violation of the conditions imposed on the Grantor to maintain the easement area, who shall then have thirty (30) days within which to abate any such violation; and

WHEREAS, in the event the Grantor fails to abate any such violation about which the Township of Mount Olive has provided thirty (30) days written notice, the Grantor may perform the necessary work and by ordinance charge to Grantor the cost of same; and

WHEREAS, the Township Council of the Township of Mount Olive is desirous of obtaining said sight triangle easement; and

WHEREAS, the Grantor has prepared a Deed of Sight Triangle Easement granting the Township of Mount Olive the rights as aforesaid; and

WHEREAS, the Township Attorney and the Township Engineer have reviewed said Deed of Sight Triangle Easement and find same to be in acceptable form; and

WHEREAS, the Township of Mount Olive does hereby determine to accept the dedication of sight triangle easement as set forth herein for the benefit of the Township of Mount Olive and the public in general.

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

1. The sight triangle easement set forth in the Deed of Sight Triangle Easement and more fully described in Schedule A thereto, on file with the Township Clerk, being part of Block 7702, Lot 21 is hereby accepted by the Township of Mount Olive with the conditions set forth therein, as and for a public sight triangle easement.
2. The Township Attorney is authorized and directed to accept the Deed of Sight Triangle Easement and to record same for the benefit of the Township of Mount Olive.

3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

ATTEST:

**TOWNSHIP OF MOUNT OLIVE
COUNTY OF MORRIS
STATE OF NEW JERSEY**

Lisa Lashway, Clerk

By: _____
Alex Roman, Council President