

**ORDINANCE NO. 2011-18
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE TO AUTHORIZE AND DIRECT THE
SALE OF TOWNSHIP REAL PROPERTY OR INTERESTS
THEREIN TO THE NEW JERSEY TURNPIKE
AUTHORITY**

WHEREAS, the New Jersey Turnpike Authority has undertaken a widening project between Interchange 6 and Interchange 9 of the New Jersey Turnpike; and

WHEREAS, the New Jersey Turnpike Authority seeks to acquire portions of real property or interests therein of the Township of East Windsor in order to facilitate the widening project which runs through and directly impacts the Township of East Windsor; and

WHEREAS, the Township Council has entered into a “Global Agreement” as authorized by Township Resolution R2010-196 with the New Jersey Turnpike Authority concerning the sale of Township real property or interests therein; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., and more particularly N.J.S.A. 40A:12-13 (b), authorizes the Township of East Windsor, through its proper officers, to sell title to real property or interests therein to any political subdivision, agency, department, commission, board or body corporate and politic of the State of New Jersey; and

WHEREAS, as a result of the monetary and other considerations provided by the New Jersey Turnpike Authority as set forth in the Global Agreement, the Township Council of the Township of East Windsor has determined that it is in the best interest of the Township to sell Township real property or interests therein to the New Jersey Turnpike Authority.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of East Windsor, County of Mercer and State of New Jersey as

follows:

I

1. **Authority of Agents.** The Mayor, Municipal Clerk, Township Manager, and Township Attorney are hereby authorized and directed to perform all acts necessary and to execute all documents necessary to convey such real property or interests therein on behalf of the Township of East Windsor.

2. **Township Property.** The following real property or interests therein are hereby authorized to be conveyed to the New Jersey Turnpike Authority, all as more particularly described in the Global Agreement:

- a) A portion of Block 22, Lot 9 also known as 269 Etra Road containing approximately 1,308 square feet of land, more or less, designated as Parcel 1083A.
- b) A temporary construction easement on a portion of Block 22, Lot 9, also known as 269 Etra Road, containing 15,835 square feet of land, more or less, designated as Parcel C1083A.
- c) A slope easement on a portion of Block 22, Lot 9 also known as 269 Etra Road containing approximately 1,000 square feet of land more or less, designated as Parcel RE1083A.
- d) A utility easement on a portion of Block 22, Lot 9 also known as 269 Etra Road containing 11,212 square feet of land, more or less, designated as Parcel UE1083A.
- e) A two-year lease agreement for a portion of Block 29, Lot 6 also known as 781 Old York Road containing an area of 596 square feet of land, more or less.
- f) A portion of Block 25, Lot 1 also known as 309 - 319 Ward Street containing 19,984 square feet of land, more or less, designated as Parcel 1083C.

- g) A portion of Block 25, Lot 2 also known as 309 - 319 Ward Street containing 3,981 square feet of land, more or less, designated as Parcel 1083G.
- h) A slope easement on a portion of Block 25, Lots 1 & 2 also known as 309 - 319 Ward Street containing 9,951 square feet of land, more or less, designated as Parcel RE1083C.
- i) A temporary construction easement on a portion of Block 25, Lots 1 & 2 also known as 309 - 319 Ward Street containing 6,896 square feet of land, more or less, designated as Parcel RC1083C.
- j) A portion of Block 22, Lot 58.02 also known as 9 Katherine Court containing 19,686 square feet of land, more or less, designated as Parcel 1083D.
- k) A temporary construction easement on a portion of Block 22, Lot 58.02 also known as 9 Katherine Court containing 6,056 square feet of land, more or less, designated as Parcel C1083D.
- l) A portion of Block 30, Lot 12 also known as 290 Etra Road containing 40,223 square feet, more or less, subject to acquisition by the Township from current owner.

II

AVAILABILITY OF DOCUMENTS

Copies of deeds, property descriptions, related documents and the Global Agreement are available for public inspection at the Municipal Clerk's Office, 16 Lanning Boulevard, East Windsor, New Jersey during normal business hours.

III

REPEAL

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

IV

SEVERABILITY

If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

V

EFFECTIVE DATE

This Ordinance shall take effect 20 days after final passage and publication according to law.

ATTEST:

CINDY A. DYE
Municipal Clerk

JANICE S. MIRONOV
Mayor

Adopted: August 16, 2011