

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2493-18
ORDINANCE TO VACATE A PORTION OF AN EXISTING SANITARY SEWER
EASEMENT LOCATED AT 65 FALMOUTH STREET, TAX LOT 4, BLOCK 3605
IN THE TOWNSHIP OF MILLBURN, ESSEX COUNTY, NEW JERSEY**

Statement of Purpose: The purpose of this Ordinance is to vacate a small portion (34.3 square feet) of a sanitary sewer easement running directly underneath the single family home at 65 Falmouth Street, or Tax Lot 4, Block 3605.

WHEREAS, a twenty foot (20') wide sanitary sewer easement exists on Tax Lot 4, Block 3605 in the Township of Millburn, more commonly known as 65 Falmouth Street; and

WHEREAS, a certain 34.3 square foot portion of this sanitary sewer easement runs directly under the two-story one-family frame house located at the same address; and

WHEREAS, the portion of the easement running directly under the structure has negatively affected the ability of the owners to sell the property; and

WHEREAS, the Township has consented to the vacation of the 34.3 square foot portion of that easement running directly under the frame house since vacation of this small portion of the easement does not affect the sanitary sewer line running adjacent to the house nor access to it.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN IN THE COUNTY OF ESSEX, NEW JERSEY, as follows:

Section 1. The portion of the existing 20' Sanitary Sewer Easement on Tax Lot 4, Block 3605, as more particularly described in Exhibit A annexed hereto, prepared by Casey & Keller, Inc. and entitled "Description of a portion of an existing sanitary sewer easement to be vacated: 65 Falmouth Street, Tax Lot 4, Block 3605, Township of Millburn, Essex County, New Jersey " and as depicted on Exhibit B annexed hereto, prepared by Casey & Keller and entitled "Easement Vacation Map" is hereby released and vacated.

Section 2. Pursuant to N.J.S.A. 40:67-21, the Township Clerk of the Township of Millburn hereby is authorized and directed to file in the office of the Essex County Register, New Jersey, within sixty (60) days after this ordinance shall take effect, a copy hereof, certified by her under the seal of the Township to be a true copy hereof, together with a copy of the proof of publication hereof, as required by law.

Section 3. This ordinance shall take effect after final passage and publication as provided by law.

Introduced: 2/6/2018