

**ORDINANCE NO. 2015-08**

**AN ORDINANCE OF THE BOROUGH OF BAY HEAD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE ACCEPTANCE OF AN  
EASEMENT RUNNING THROUGH BLOCK 13 LOT 23**

**WHEREAS**, Paul and Marie Conlin, the owners of property within the Borough of Bay Head known as Block 13, Lot 23 desire to dedicate a permanent easement consisting of approximately 1,400 square feet in an along a portion of property known as Block 23, Lot 13 on the Tax Map of the Borough of Bay Head for the installation, repair, relocation, maintenance or removal of underground storm sewer line and appurtenances; and

**WHEREAS**, the acquisition of easements in real property is authorized by N.J.S.A. 40A:12-4.

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Bay Head, County of Ocean, and State of New Jersey, as follows:

**SECTION 1.** The Borough Council hereby authorizes and approves the acquisition for the purchase price of \$1.00 from Paul and Marie Conlin a perpetual easement consisting of approximately 1,400 square feet more or less in and along a portion of property known as Block 23, Lot 13 on the Tax Map of the Borough of Bay Head for the installation, repair, relocation, maintenance or removal of underground storm sewer line and appurtenances. The easement is attached hereto and incorporated herein as Schedule A.

**SECTION 2.** The Mayor and Borough Clerk are hereby authorized and directed to execute any and all such documents providing for the Borough's acquisition of interest in the Property and to undertake any and all such acts as may be necessary to effectuate the terms hereof, subject to the Borough Attorney's approval of the form and substance of said documents.

**SECTION 3.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 4.** This ordinance shall take effect immediately upon its passage and publication as required by law.

**NOTICE**

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Bay Head held on the 9<sup>th</sup> day of February, 2015, and will be considered for second reading and final passage at a regular meeting of the Borough Council to be held on the 2<sup>nd</sup> day of March, 2015, at 7:00 p.m., at the Bay Head Fire House, located at 81 Bridge Avenue, Bay Head, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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Patricia M. Applegate, RMC  
Borough Clerk, BOROUGH OF BAY HEAD