

ORDINANCE NO. O-15-18  
TOWNSHIP MEETING DATE - September 29, 2015

ORDINANCE AUTHORIZING THE EXCHANGE OF EASEMENT INTERESTS ON  
BLOCK 88, LOT 3.05 IN THE TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY,  
NEW JERSEY

WHEREAS, there currently exists a landscape easement on  
Block 88, Lot 3.05 which was conveyed to the Township of  
Freehold in 2002 (hereafter "Existing Landscape Easement"); and

WHEREAS, a portion of a retaining wall was installed within  
the Existing Landscape Easement; and

WHEREAS, it is necessary for the Existing Landscape  
Easement to be reconfigured so that the portion of the retaining  
wall is not located within a landscape easement; and

WHEREAS, in order to accomplish the reconfiguration of the  
Existing Landscape Easement, the property owners will convey to  
the Township a new landscape easement area, and the Township  
will convey to the property owners its interest in the Existing  
Landscape Easement where the portion of the retaining wall is  
located; and

WHEREAS, the new landscape easement area which the Township  
will receive is described in attached Schedule A; and

WHEREAS, the portion of the Existing Landscape Easement containing the retaining wall that will be relinquished by the Township is described in attached Schedule B; and

WHEREAS, N.J.S.A. 40A:12-16 allows a municipality to exchange property interests when it is in the public interest to do so; and

WHEREAS, the Township Tax Assessor has evaluated the easements pursuant to the direction contained in N.J.S.A. 40A:12-16 and has concluded that the new easement area the Township will be receiving and the Existing Landscape Easement area the Township will be relinquishing are of equal value.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Freehold as follows:

1. The value of the new easement area the Township will be receiving is equal to the Existing Landscape Easement area it is relinquishing based upon the evaluation of the Tax Assessor pursuant to N.J.S.A. 40A:12-16.

2. The Mayor and Township Clerk are hereby authorized to execute a Deed relinquishing the portion of the Existing Landscape Easement.

3. The Township Attorney is hereby authorized to take any and all action reasonable and necessary in order to conclude the exchange of easements as described herein.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Freehold that this Ordinance shall take effect upon adoption and publication according to law.

**EXPLANATORY STATEMENT:**

This Ordinance authorizes the exchange of landscape easement interests on Block 88, Lot 3.05.

John J. Ploskonka, P.E., P.P.  
*President*

Bhaskar R. Halari, P.E.  
*V.P. Director of Engineering*

Donna M. Bullock, P.E.

Leo A. Kalieta, P.L.S.

Dana A. Kelly, Esq.  
*Director of Operations*



**CONCEPT  
ENGINEERING  
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BUILDING #2, UNIT #7  
MANALAPAN, NEW JERSEY 07726

Phone: (732) 792-2750

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*TPW*

*TO BE ADDED*

DESCRIPTION OF LANDSCAPE BUFFER EASEMENT WITHIN LOT 3.05 BLOCK 88

TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY

BEGINNING at a point on the line common to Lot 3.05 and Lot 3.06 Block 88 said point bears South 60°13'24" East 257.49' from its Intersection with the Easterly line of Equinox Lane and running thence;

1. North 49°-56'20" East a distance of 121.93' to a point; thence:
2. South 13°-36'49" East a distance of 5.63' to a point; thence:
3. South 49°-56'20" West a distance of 117.58' to the line common to Lot 3.05 and lot 3.06; thence:
4. North 60°-13'24" West a distance of 5.37' to the point and place of Beginning.

Containing 603.56 S.F. / 0.013 Acres

Intending to describe a Landscape Buffer Easement as shown on a map entitled "WALL ENCROACHMENT PLAN, BLOCK 88, LOT 3.05, TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY", dated 01-15-2013 THROUGH 03-03-2015, prepared by Concept Engineering Consultants, P.A.

*Leo A. Kalieta*

LEO A. KALIETA P.L.S.      DATE: 3-03-2015

NJ LIC. No.31268

RECEIVED

MAY 27 2015

FREEHOLD TOWNSHIP  
ENGINEER'S OFFICE

John J. Ploskonka, P.E., P.P.  
President

Bhaskar R. Halari, P.E.  
V.P./Director of Engineering

Donna M. Bullock, P.E.

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*TPW*

TO BE VALUATED

DESCRIPTION OF WALL ENCROACHMENT,

LOT 3.05 BLOCK 88, TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY

BEGINNING at a point on the Northerly Buffer Landscape Line within Lot 3.05, said point bears the following two courses;

- A. South 60°13'24" East 204.23' from the intersection of the line common to Lot 3.05 and Lot 3.06 Block 88 with the Easterly line of Equinox Lane and running thence;
- B. North 49°56'20" West a distance of 22.78' to the point of BEGINNING and running thence:
  1. Eastward 8.36' along a curve to the left having a radius of 26.56' and a delta of 18°-02'-03" to a point; thence;
  2. Northeastwardly 8.07' along a curve to the left having a radius of 10.10' and a delta of 45°-46'-54" to a point; thence;
  3. Northeastwardly 9.02' along a curve to the left having a radius of 30.06' and a delta of 17°-11'-08" to a point; thence;
  4. Northeastwardly 10.03' along a curve to the right having a radius of 39.53' and a delta of 14°-32'-12" to a point; thence;
  5. Northeastwardly 16.61' along a curve to the right having a radius of 69.41' and a delta of 13°-42'-31" to a point; thence;
  6. Northeastwardly 12.65' along a curve to the left having a radius of 38.52' and a delta of 18°-49'-03" to a point; thence;
  7. Northeastwardly 8.56' along a curve to the left having a radius of 19.36' and a delta of 25°-19'-51" to a point; thence;
  8. South 49°-56'-20" W a distance of 68.06' to the point and place of Beginning.

Containing 337.93 S.F. / 0.01 Acres

Intending to describe a Wall Encroachment Area as shown on a map entitled "WALL ENCROACHMENT PLAN, BLOCK 88, LOT 3.05, TOWNSHIP OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY", dated 01-15-2013 through 03-03-2015, prepared by Concept Engineering Consultants, P.A.

*Leo A. Kalieta*

LEO A. KALIETA P.L.S. DATE: 03-03-2015

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ENGINEER'S OFFICE

*Schedule B*