

Township of West Milford

Passaic County, New Jersey

~ Resolution 2024 – 338 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2024-320 AUTHORIZING AN EASEMENT FOR AN EXISTING WELL TO REMAIN IN THE TOWNSHIP RIGHT OF WAY CORRECTING THE SQUARE FOOTAGE IN EXHIBITS A & B

WHEREAS, by virtue of Resolution 2024-320 adopted on September 18 2024, the Township Council did approve an easement for an existing well to remain in the Township Right of Way; and

WHEREAS, a correction in Exhibit A and Exhibit B on file in the Clerk's Office now reflects the 100 square footage rather than 9 square feet; and

WHEREAS, the Township of West Milford is the owner of Papscoe Road, located in the Township of West Milford, County of Passaic, State of New Jersey; and

WHEREAS, Miseal Rojas is the property owner of 7 Papscoe Road, in the Township of West Milford, County of Passaic, State of New Jersey, known as Lot 19 in Block 2414 on the Tax Maps in the Township of West Milford; and

WHEREAS, pursuant to Mr. Rojas selling his property, a new property survey indicated that the well head on an existing well falls outside the property line by approximately 12 inches, contrary to a prior survey which reflected that the well head fell on or quite near to the property line; and

WHEREAS, the Township has reviewed this new survey, agrees with its conclusions and desires to grant and convey to the property owner a perpetual non-exclusive easement agreement for the existing well and for the well head to remain in the Township right of way; and

WHEREAS, property owner has submitted the survey, along with a metes and bounds description of the easement, which is incorporated as "Exhibit A" and an Easement for Existing Well to Remain in Right of Way agreement, that is incorporated as "Exhibit B" on file in the Clerk's Office; and

WHEREAS, the Mayor and Township wish to enter onto this agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Township Clerk be and is hereby directed as follows:

1. That the Township does hereby authorize and approve the execution of the corrected Easement for Existing Well to Remain in Right of Way agreement (Exhibit B) as based on the corrected new survey with metes and bounds description (Exhibit A), both of which are on file in the Clerk's Office.
2. That the Mayor and/or Township Administrator be and is hereby authorized to execute said Easement on behalf of the Township.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Adopted: October 2, 2024

Adopted this 2nd day of October, 2024
and certified as a true copy of an original.

William Senande, Township Clerk