

13-16

**ORDINANCE OF THE BOROUGH OF
MERCHANTVILLE, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY APPROVING AN ACCESS
EASEMENT RELATIVE TO BLOCK 26, LOTS 2.02,
3.01, 4.01 AND 18.02 IN THE OFFICIAL TAX MAP OF
THE BOROUGH OF MERCHANTVILLE, AND
AUTHORIZING THE EXECUTION OF ALL
DOCUMENTS NECESSARY TO IMPLEMENT SAID
EASEMENT**

WHEREAS, the Borough of Merchantville (hereinafter "Merchantville") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County, and is the owner of certain real estate located at 16 West Maple Avenue, and identified as Block 26, Lots 2.02, 3.01, 4.01 and 18.02 on the Municipal Tax Map of the Borough of Merchantville, Camden County, New Jersey; and

WHEREAS, Westfield Avenue Associates, LLC, a New Jersey limited liability company, (hereinafter "Westfield") having an address of 505 Old York Road, Jenkintown, Pennsylvania 19046, is the owner of certain real estate located at 20 West Maple Avenue, and identified as Block 26, Lot 2.01 on the Municipal Tax Map of the Borough of Merchantville, Camden County, New Jersey; and

WHEREAS, Merchantville wishes to enter into an agreement with Westfield relative to an Grant of Easement for a period ending on or before December 31, 2023, for its use, occupancy and enjoyment and the use, occupancy and enjoyment of Westfield in granting Westfield access through the Grantor's Property and other properties to South Centre Street, to permit vehicular travel across Grantor's Property between Grantee's Property and South Centre

Street, and, all in accordance with and for the purposes set forth in this Grant of Easement, as attached hereto as “Exhibit A”; and

WHEREAS, Merchantville and Westfield have agreed to the terms and conditions of this Grant of Easement; as so stated in the document attached hereto as Exhibit “A”; and

WHEREAS, it is the intention of the Borough Council of the Borough of Merchantville to authorize the proper municipal officials to execute the attached Grant of Easement on behalf of the Borough of Merchantville.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that the Grant of Easement, attached hereto as Exhibit “A,” by and between the Borough of Merchantville and Westfield Avenue Associates, LLC, a New Jersey limited liability company, (“Westfield”), be and hereby is approved; and

AND BE IT FURTHER ORDAINED that Frank M. North, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville be and hereby are authorized to execute the Grant of Easement, attached hereto as Exhibit “A,” and all other documents necessary to implement said Grant of Easement on behalf of the Borough of Merchantville; and

AND BE IT FURTHER ORDAINED that all Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith, and that this Ordinance shall take effect upon passage and publication according to law.

THE BOROUGH OF MERCHANTVILLE

BY: _____
FRANK M. NORTH, MAYOR

ATTEST:

DENISE BROUSE, BOROUGH CLERK

The foregoing Ordinance was introduced by Mayor and Council at the regular meeting held on November 18, 2013. This Ordinance will be considered for adoption on final reading and public hearing to be held on December 8, 2013 at 7:30 p.m. in the Council Meeting Room, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to convey a Grant of Easement to Westfield Avenue Associates, LLC, relative to access from its property to South Centre Street over and/or through the Borough-owned property more particularly described as Block 26, Lots 2.02, 3.01, 4.01 and 18.02 on the Tax Map of the Borough of Merchantville. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Thursday (Legal Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.