

## **BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION**

NOTICE is hereby given that **Ordinance 13-2025** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE AUTHORIZING THE BOROUGH TO ENTER INTO AN AGREEMENT OF SALE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO CONVEY A DEED OF EASEMENT ON THE REAL PROPERTY DESIGNATED AS BLOCK 304, LOT 10 ON THE TAX MAP OF THE BOROUGH OF EATONTOWN FOR THE PURPOSES OF IMPROVING ROUTE 71 WITHIN THE BOROUGH OF EATONTOWN”** was passed after a public hearing at the regular meeting of **September 10, 2025** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

### **ORDINANCE 13-2025**

#### **BOROUGH OF EATONTOWN**

#### **COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

#### **ORDINANCE AUTHORIZING THE BOROUGH TO ENTER INTO AN AGREEMENT OF SALE WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO CONVEY A DEED OF EASEMENT ON THE REAL PROPERTY DESIGNATED AS BLOCK 304, LOT 10 ON THE TAX MAP OF THE BOROUGH OF EATONTOWN FOR THE PURPOSES OF IMPROVING ROUTE 71 WITHIN THE BOROUGH OF EATONTOWN**

**WHEREAS**, the Borough of Eatontown is the owner of property located on Block 304, Lot 10 on the Borough Tax Map (the “Borough Property”) adjacent to Route 71, a state highway owned and controlled by the State of New Jersey, Department of Transportation (“NJDOT”); and

**WHEREAS**, the NJDOT is engaged in a project for the purpose of highway construction known as ADA Central Contract 1, Route 71, Section 1 and proposes to reconstruct public sidewalk curb ramps needed for pedestrians and to re-grade any sidewalk and landscaping areas which are directly impacted by the public sidewalk curb ramps and sidewalk work to meet all ADA requirements adjacent to Route 71 on Borough Property (the “Route 71 Construction Project”); and

**WHEREAS**, the NJDOT seeks a Permanent Sidewalk Easement on Borough Property for which it obtained an appraisal which values the permanent sidewalk easement at \$700.00, and NJDOT offered to purchase the permanent easement on Borough Property for its appraised value of \$700.00; and

**WHEREAS**, the Borough Council believes it is in the best interest of the Borough to convey a Permanent Sidewalk Easement to the NJDOT so that it may proceed with and make improvements associated with the Route 71 Construction Project.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough Eatontown, County of Monmouth, State of New Jersey that it hereby authorizes the Borough to enter in an Agreement of Sale by and between the Borough of Eatontown and State of New Jersey, by the Commissioner of Transportation to convey a Permanent Sidewalk Easement to the NJDOT on Borough property designated as Block 304, Lot 10; and

**BE IT FURTHER ORDAINED** the Mayor is authorized to sign all documents necessary required by the Agreement of Sale with the NJDOT to convey the Permanent Sidewalk Easement to the NJDOT in a form approved by the Borough Attorney.

**BE IT FURTHER ORDAINED**, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.

- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.