

**RESOLUTION NO.: 2017 - 28**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION AND RECORDATION OF THE PROPOSED PERMANENT UTILITY MAINTENANCE EASEMENT LOCATED ON 2 LEE DRIVE, OVER A PORTION OF BLOCK 39, LOT 40**

**WHEREAS**, Albert Dunphy and Eileen Dunphy residing at 2 Lee Drive, Mount Arlington, New Jersey 07856, desires to convey a Permanent Utility Maintenance Easement over a portion of Block 39, Lot 40 in the Borough of Mount Arlington, Morris County, New Jersey as shown on the "Survey of Land of Lee Drive, Lane & Private Beach, as shown on Morris County Filed Map No.: 2393" dated December 1, 2015, prepared by Derek J. Kennedy, PE, described and attached as "**Schedule A**"; and the Metes and Bounds description entitled "Proposed 20' Wide Access & Drainage Easement over LEE DRIVE, a variable width Private Right of Way, & Tax Lot 42 in Block 39" dated February 26, 2016, prepared by Derek J. Kennedy, PE, described and attached as "**Schedule B**", each attached hereto and made a part hereof (the "Easement Area") a copy of each are incorporated herein at length by reference; and hereby warrant that they have the exclusive right and authority under the law to make the grant of easement herein upon the land described herein which is a portion of the land warranted to be owned by them; and

**WHEREAS**, the Borough of Mount Arlington Borough Engineer and the Borough Attorney reviewed the above-referenced easement document and Metes and Bounds description, a copy of each are incorporated herein at length by reference; and

**WHEREAS**, in order to effectuate the granting of the easement, the proposed easement document and Metes and Bounds description are required to be recorded in the Morris County Clerk's Office; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Mount Arlington reviewed the above-referenced easement document and Metes and Bounds description and recommends the documents be recorded by the Borough Attorney in the office of the Morris County Clerk.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF MOUNT ARLINGTON, THAT** the Permanent Utility Maintenance Easement is approved and that the recordation of the easement documents shall be conducted at a date and time selected by the Borough Administrator upon approval of all documents by the Borough Attorney. The Borough Administrator and the Borough Attorney shall be authorized and empowered to sign any and all documents required to effectuate the recordation of the documents.

This is to certify that the above is a true and correct copy of a resolution adopted by the Borough of Mount Arlington at a meeting held on January 17, 2017.

  
Linda DeSantis, R.M.C.  
Borough Clerk