

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 4 LEE DRIVE, SITUATED OVER A PORTION OF BLOCK 39, LOT 42

WHEREAS, Bruce and Linda Tobey residing at 4 Lee Drive, Mount Arlington, New Jersey 07856, desires to convey a Permanent Utility Maintenance Easement over a portion of Block 39, Lot 42 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, a copy of which is incorporated herein at length by reference; and

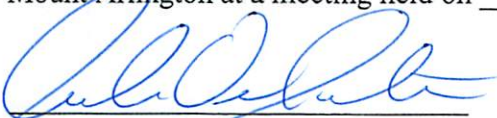
WHEREAS, in order to effectuate the granting of the easement, the proposed easement document, Survey and Metes and Bounds description are required to be recorded in the Morris County Clerk's Office; and

WHEREAS, the above-referenced easement document was executed on September 20, 2016 and recorded on October 14, 2016 in the Office of the Morris County Clerk in Book 23004, Page 1916, without a Borough Resolution; and

WHEREAS, the Mayor and Borough Council of the Borough of Mount Arlington reviewed the above-referenced easement document and find that the document recorded by the Borough Attorney in the office of the Morris County Clerk are acceptable and would have been recorded in proper order in due course.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF MOUNT ARLINGTON, THAT the Permanent Utility Maintenance Easement is approved in its current form and that this Resolution shall retroactively authorize the filing of the document as of the October 14, 2016 recordation date.

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 February 7, 2017.


Linda DeSantis, R.M.C.
Borough Clerk