

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF
MORRIS, NEW JERSEY, MODIFYING AN EASEMENT AGREEMENT
BETWEEN THE BOROUGH AND THE MUSCONETCONG SEWERAGE
AUTHORITY ON CERTAIN PROPERTY IN THE BOROUGH KNOWN AS
BLOCK 18, LOT 12, ON THE TAX MAP OF THE BOROUGH OF
MOUNT ARLINGTON**

WHEREAS, on April 20, 1994, the Borough of Mount Arlington granted to the Musconetcong Sewerage Authority (hereinafter “Authority”), a permanent municipal utility easement for the installation of a pumping station and appurtenance on a portion of said property known as Block 18, Lot 12; and

WHEREAS, the Authority has constructed the aforesaid pumping station and appurtenances on said property; and

WHEREAS, it has been determined by the Authority that it no longer requires the easement over the entire property which consists of 10,000 square feet, but requires the easement on a smaller area consisting of approximately 3,594 square feet; and

WHEREAS, it has been determined that the property upon which the pumping station has been constructed is within “Green Acres” designation by the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:12-13, et al, permits the conveyance to another municipality of any part of tract of land with or without improvements no longer needed for said purposes; and

WHEREAS, the Easement dated April 20, 1994 was granted to the Authority by the Borough of Mount Arlington without consideration.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, that the Borough agrees to modify the Easement Agreement dated April 20, 1994, as set forth in the Modification of Easement Agreement.

I hereby certify this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, and adopted on December 14, 2010.



Linda DeSantis, RMC
Borough Clerk