

RESOLUTION R-16-38

RESOLUTION AUTHORIZING TERMINATION OF TRAIL EASEMENT BY GENERAL RELEASE FOR THE FOLLOWING PROPERTIES WITHIN THE HOLLYBROOK ESTATES MAJOR SUBDIVISION – BLOCK 15, LOT 14.11 AND LOT 14.12

WHEREAS, the Harlan Corporation received final major subdivision approval from the South Harrison Township Planning Board as the developer for the development known as “Hollybrook Estates” on December 9, 1997 memorialized by the adoption of Planning Board Resolution No.: R-97-19; and

WHEREAS, the aforementioned Resolution required the developer convey a trail easement to the Township of South Harrison, which is memorialized by a certain “Deed of Trail Easement” that was recorded on April 9, 1999 with the Gloucester County Clerk’s Office in Deed Book 2983, Page 203 & c; and

WHEREAS, the Township Committee recently received a petition from the property owners affected by the trail easement requesting that the Township formally vacate and release the underutilized trail easement; and

WHEREAS, the Township Solicitor, as well as the Township Engineer reviewed the petition and have no objection to the formal release of the trail easement, which is not actively utilized by the Township for recreational purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Harrison, that the aforementioned trail easement granted to the Township of South Harrison across Lot 14.11 and Lot 14.12 of Block 15 within the “Hollybrook Estates” subdivision is hereby released, vacated, and terminated effective immediately; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute the attached Termination of Easement Agreement release forthwith after the adoption hereof and to further file such document with the Gloucester County Clerk’s Office memorializing the Township’s action taken by this Resolution.

TOWNSHIP OF SOUTH HARRISON

By: _____
JAMES McCALL, MAYOR

Dated: _____

ATTEST:

CELESTE KEEN, RMC, DEPUTY CLERK

INFORMATION ONLY

CERTIFICATION

I hereby certify the above to be a true copy of a Resolution adopted by the Township Committee of the Township of South Harrison at the regular meeting held on the 13th day of April, 2016.

CELESTE KEEN, RMC, DEPUTY CLERK

INFORMATION ONLY

TERMINATION OF DEED OF TRAIL EASEMENT

BLOCK 15, LOTS 14.11 AND 14.12 ON THE TOWNSHIP OF SOUTH HARRISON TAX MAPS

GLOUCESTER COUNTY, NEW JERSEY

WHEREAS, the Township of South Harrison, a Municipal Corporation of the State of New Jersey, was the Grantee under a certain Deed of Trail Easement dated April 8, 1999 received from the Grantor, The Harlan Corporation, that was recorded with the Gloucester County Clerk on April 9, 1999 in Deed Book 2983, Page 203 & c; and

WHEREAS, the aforementioned Deed of Trail Easement concerned a twenty (20') foot wide trail easement through a portion of Lot 14.11 of Block 15 and through a portion of Lot 14.12 of Block 15, as shown on the Final Plan of Lots for Phase I of Hollybrook Estates, consisting of Sheets 1 of 2 of 2, prepared by Howard W. Doran, Inc., Newton Square, Pennsylvania, dated August 8, 1989 and last revised December 18, 1998, and as depicted on the Township of South Harrison Tax Maps; and

WHEREAS, the Township Committee of the Township of South Harrison formally adopted Resolution R-16-38 that effectively vacates and terminates the aforementioned twenty (20') foot trail easement at the Township Committee meeting that took place on April 13, 2016; and

WHEREAS, the Township Committee has formally vacated and does hereby terminate the twenty (20') foot Deed of Trail Easement recorded April 9, 1999 in Deed Book 2983, Page 203 & c. with the Gloucester County Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Harrison, that the Township does hereby formally terminate, vacate, release and abandon that certain Deed of Trail Easement heretofore established upon a portion of Lot 14.11 and Lot 14.12 of Block 15 on the Township of South Harrison Tax Maps that was previously recorded by a certain Deed of Trail Easement dated April 8, 1999 that was recorded with the Gloucester County Clerk on April 9, 1999 in Deed Book 2983, Page 203 & c.; and

BE IT FURTHER RESOLVED, that the aforementioned Deed of Trail Easement is hereby terminated, vacated and forever discharged by the Township of South Harrison.

IN WITNESS WHEREOF, the appropriate Officials of the Township of South Harrison, intending to be legally bound hereby, have caused this document to be duly executed on the date hereinbelow recited.

TOWNSHIP OF SOUTH HARRISON

Dated:

By: _____
JAMES McCALL, MAYOR

ATTEST:

CELESTE KEEN, RMC, DEPUTY CLERK

ONLY

STATE OF NEW JERSEY : SS.
COUNTY OF GLOUCESTER :

I CERTIFY that on April 13th, 2016, James McCall, the Mayor of South Harrison Township, personally came before me and that this person acknowledged under oath, to my satisfaction, that:

- (a.) This person is the Mayor and authorized representative of South Harrison Township in Gloucester County, New Jersey, which is the entity named in this document;
- (b.) This document was signed and delivered by the Mayor on behalf of the Township of South Harrison pursuant to Resolution R-16-38 adopted by the South Harrison Township Committee; and
- (c.) The Mayor signed this proof to attest to the truth of these facts.

Sworn and subscribed before me
this _____ day of _____, 2016

Notary Public

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