

Introduction: 5/30/13

Public Hearing: 6/27/13

Effective: 7/23/13

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1724

**AN ORDINANCE AUTHORIZING A RIGHT OF WAY
EASEMENT OVER A PORTION OF LOT 41, BLOCK 12
LOCATED ON EASTVIEW DRIVE IN THE TOWNSHIP OF
MAHWAH.**

WHEREAS, William and Linda Dator (“the Dators”) own lots 39 to 46 in Block 11 (Dator Property”), which are located adjacent to the right of way of Eastview Drive as shown on Mahwah’s tax map, and Mahwah owns lot 41 in block 12 (“Mahwah’s Property”), which also is adjacent to the Eastview Drive right of way as shown on Mahwah’s tax map; and

WHEREAS, because the existing Eastview Drive roadway is not within the right of way as shown on Mahwah’s tax map, the Dators have requested that Mahwah grant them an easement across a portion of Mahwah’s Property, in accordance with the description attached as exhibit A, to permit the Dators to build a driveway to provide access to the Dator Property; and

WHEREAS, the Township Council has the authority to grant the easement pursuant to N.J.S.A. 40A:12-13(b)(5).

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, that the Township grants to the Dators an easement over the portion of the Mahwah’s Property described on exhibit A for the benefit of the Dator Property, to permit the Dators to build a driveway providing access to the Dator Property over Mahwah’s Property; and

BE IT FURTHER ORDAINED, that the Mayor, the Clerk, and the Administrator are authorized and directed to execute all documents that are necessary to confirm and record the easement, which will be in a form that is approved by the Township Attorney; and

BE IT FURTHER ORDAINED that this ordinance will become effective after final passage, adoption, and publication as required by law.

WEISSMAN ENGINEERING CO., P.C.

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ROBERT J. WEISSMAN, P.E., L.S.

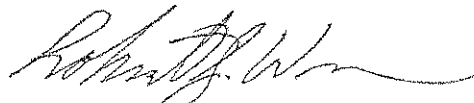
March 26, 2013

ACCESS EASEMENT DESCRIPTION
ACROSS LOT 41 IN BLOCK 12
IN FAVOR OF LOTS 39 - 46 BLOCK 11
TOWNSHIP OF MAHWAH, BERGEN COUNTY, N.J.

Beginning at a point on the northeast corner of Lot 41 in Block 12, and running thence:

1. On a bearing S 13° 40' 55" E a distance of 50.00' to a point, thence -
2. On a bearing S 76° 19' 05" W a distance of 30.00' to a point, thence -
3. On a bearing N 13° 40' 55" W a distance of 50.00' to a point, thence -
4. On a bearing N 76° 19' 05" E a distance of 30.00' to the point or place of beginning.

Containing 1,500.00 s.f. = 0.034 Ac.



Robert J. Weissman, P.E., L.S.
Lic.# GB29624

EXHIBIT A