

Explanation: This Ordinance authorizes the exchange of lands owned by JCP&L located at Block 35, Lot 4 as shown on the Tax Map of the Township of Warren in exchange for the release of a portion of a Conservation Easement in favor of the Township of Warren on property located on Block 5, Lot 1.01 (formerly Block 102, Lots 1 & 18).

**TOWNSHIP OF WARREN
ORDINANCE NO. 17-23**

**AN ORDINANCE AUTHORIZING THE EXCHANGE OF LANDS BETWEEN
JCP&L BLOCK 35 LOT 4 AND WARREN TOWNSHIP BLOCK 5 LOT 1.01**

WHEREAS, Jersey Central Power & Light (“JCP&L”) is the owner of property consisting of ±15.9 acres identified as Block 35, Lot 4 as shown on the Tax Map of the Township of Warren (the “JCP&L Property”); and

WHEREAS, the Township of Warren is the beneficiary of that certain Conservation Easement (the “Conservation Easement”) on property located at Block 5, Lot 1.01 (formerly Block 102, Lots 1 & 18) as shown on the Tax Map of the Township of Warren; and

WHEREAS, JCP&L has agreed to an exchange of lands whereby JCP&L will convey the JCP&L Property to the Township, which JCP&L Property would subsequently be restricted for conservation purposes, in return for the release of a portion of the Conservation Easement by the Township; and

WHEREAS, N.J.S.A. 40A:12-16 allows the exchange of municipal lands or rights therein when the full and fair value of the property to be conveyed to the municipality is equal to or exceeds the value of property for which it is being exchanged, and the acquisition of the property being obtained is more advantageous to the municipality for public use than the property being conveyed by the municipality, and it is in the public interest that such exchange of lands be consummated; and

WHEREAS, the Township Assessor, pursuant to the requirements of N.J.S.A. 40A:12-16, has determined, as set forth in his letter dated _____, 2017, attached hereto as Schedule A that the JCP&L Property, has a full and fair value equal to or in excess of the value of the Township’s property interest in the portion of the Conservation Easement to be vacated; and

WHEREAS, the Township Committee is of the opinion that the lands being conveyed to the Township of Warren by JCP&L is of more value than the portion of the Conservation Easement to be vacated by the Township, and that the JCP&L Property is more advantageous to the Township, as it will increase the acreage of Township-owned land to be preserved for open space and conservation purposes, and, thus, the exchange of lands or interests therein) is in the public interest; and

WHEREAS, the aforesaid JCP&L Property is described in Schedule B attached hereto and the aforesaid portion of the Conservation Easement to be vacated by the Township is described in Schedule C attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey as follows:

1. The Township Committee hereby authorizes the exchange of lands, whereby JCP&L will convey to the Township the JCP&L Property described on Schedule B (to be restricted for open space and conservation purposes) in exchange for the vacation by the Township of a portion of a Conservation Easement as set forth on Schedule C attached hereto.

2. The Mayor, Township Clerk and Township Attorney are hereby authorized to execute any and all documents required to effectuate the conveyance of the JCP&L Property as set forth on Schedule B to the Township and the vacation of a portion of the Conservation Easement as set forth on Schedule C, subject to the approval of the Township Attorney.

WARREN TOWNSHIP COMMITTEE

By: _____
Carolann Garafola, Mayor

ATTEST:

Cathy Reese, RMC, Township Clerk

INTRODUCED **October 5, 2017**

ADOPTED **TABLED 11/16/17 MEETING – NOT PAST**

EFFECTIVE

SCHEDULE B

DESCRIPTION OF JCP&L PROPERTY

BEGINNING at a point in the northerly right of way line of Interstate Route 78 where the same is intersected by the division line between Lot 3 and Lot 4 in Block 35 as shown on the Township of Warren Tax Map, said division line being part of the first course of the Second Tract as described in Deed Book 6418 page 2932 and Deed Book 6524 Page 2649, and running thence

(1) Along said division line between Lot 3 and Lot 4, North 01 degrees 36 minutes 42 seconds West, a distance of 967.2 feet, more or less, to a point in the middle of Dead River; thence

(2) Easterly along the middle of Dead River the various courses thereof, a distance of 856.00 feet, more or less, to the division line between Lot 4 and Lot 5 in Block 35, said division line being part of the third course of the third tract in Deed Book 2096 Page 545 conveyed to the Township of Warren; thence

(3) Along said division line between Lot 4 and Lot 5, South 00 degrees 21 minutes 42 seconds East, a distance of 873.80 feet, more or less, to a point in the northerly right of way line of Interstate Route 78; thence

(4) Along said northerly right of way line of Interstate Route 78, South 88 degrees 50 minutes 15 seconds West, a distance of 369.34 feet to a point of curvature; thence

(5) Continuing along the same on a curve to the left having a radius of 10,130.00 feet and a central angle of 02 degrees 02 minutes 40 seconds, an arc distance of 361.48 feet to the point and place of BEGINNING.

BEING in accordance with a survey prepared by Boswell Engineering, L.S., dated August 31, 2016.

SCHEDULE C

**DESCRIPTION OF A PORTION OF A CONSERVATION EASEMENT
ACROSS LOT 1.01 IN BLOCK 5 TO BE EXTINGUISHED
IN THE TOWNSHIP OF WARREN
SOMERSET COUNTY, NEW JERSEY**

PARCEL 1

BEGINNING at a point in the easterly CORNER OF Lot 1.01 in Block 5, said point also being the northwesterly corner of Lot 1.02 in Block 5, running thence;

1. Along the division line between Lots 1.01 and 1.02 in Block 5, S 46°48'34" E, 630.00' to a point, thence;
2. Along same, N 44°55'11" E, 69.78' to a point, thence;
3. Across Lot 1.01 in Block 5, S 48°29'59" E, 148.78' to a point, thence;
4. Across same, S 43°53'05" W, 179.06' to a point, thence;
5. Across same, N 73°04'11" W, 99.95' to a point, thence;
6. Across same, S 45°50'20" W, 151.36' to a point, thence;
7. Across same, N 86°47'51" W, 369.43' to a point, thence;
8. Across same, N 48°47'55" W, 165.31' to a point, thence;
9. Across same, N 34°28'15" E, 81.59' to a point, thence;
10. Across same, N 0°27'30" E, 194.12' to a point, thence;
11. Across same, N 34°28'15" E, 222.81' to a point, thence;
12. Across same, N 13°59'24" E, 114.56' to the point or place of **BEGINNING**.

Containing 299,399 square feet, 6.873 acres.

PARCEL 2

BEGINNING at a point in the northeast corner of Lot 1.01 in Block 5, said point being along the westerly side of the Dead River running, thence;

1. Along the westerly side of the Dead River, S 27°10'19" E, 126.51' to a point, thence;
2. Along same, S 46°11'10" E, 44.31' to a point, thence;
3. Across Lot 1.01 in Block 5, S 4°19'53" E, 84.41' to a point, thence;
4. Across same, S 56°12'15" E, 76.73' to a point, thence;
5. Across same, S 15°31'36" W, 18.20' to a point, thence;
6. Across same, along the northerly line of a 24' wide access easement, N 53°31'44" W, 224.17' to a point, thence;
7. Across Lot 1.01 in Block 5, N 8°34'53" W, 151.41' to a point, thence;
8. Along the division line between Lot 1.01 in Block 5 and Lot 1 in Block 4, N 84°28'16" E, 48.07' to the point or place of **BEGINNING**.

Containing 18,623 square feet, 0.427 acres.

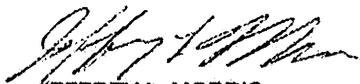
PARCEL 3

BEGINNING at a point in Lot 1.01 in Block 5, said point being on the northerly line of a 30' wide sanitary sewer easement and also being the following courses and distances from a westerly property corner of Lot 1.01 in Block 5, running thence;

- A. Across Lot 1.01 in Block 5, S 74°48'34" E, 113.20' to a point, thence;
- B. Across same, N 43°11'26" E, 116.01' to the point of **BEGINNING** of this description, running thence;
 1. Across Lot 1.01 in Block 5 along the northerly line of a 30' wide sanitary sewer easement, N 74°48'18" W, 154.63' to a point, thence;
 2. Across same, N 25°18'18" E, 87.95' to a point, thence;

3. Across same along the southerly side of a 24' wide access easement, S
53°31'44" E, 135.44' to a point, thence;

4. Across same, S 3°55'45" E, 39.63' to the point or place of BEGINNING.
Containing 8,738 square feet, 0.201 acres.



JEFFREY L. MORRIS
Professional Engineer and Land Surveyor
New Jersey Lic. No. 30979
September 27, 2017