

O-16-33
06/22/16

**AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT
TO 662 AVENUE C URBAN RENEWAL, LLC**

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “City”), a public body corporate and politic of the State of New Jersey (the “State”) is the owner of a public right of way known as Avenue C in the City of Bayonne, County of Hudson, and State of New Jersey, (the “City’s Property”); and

WHEREAS, Avenue C Urban Renewal, LLC (the “Redeveloper”) is the owner in fee simple of real property located to the west of Avenue C and designated as Block 163, Lot 45 in the City of Bayonne, County of Hudson, State of New Jersey (the “Redeveloper’s Property”) shown on the official tax map of the City of Bayonne; and

WHEREAS, the Redeveloper intends to construct a residential multiple dwelling building on the Redeveloper’s Property that currently encroaches into the air space of the City’s Property by no more than two (2) feet; and

WHEREAS, the City wishes to convey an easement to Redeveloper to permit a two (2) foot encroachment over the City’s Property; and

WHEREAS, the City believes that the conveyance of an easement over and on the City’s Property will allow for a building design that offers improved planning and zoning perspective that will benefit the City and its residents; and

WHEREAS, the Municipal Council of the City of Bayonne agrees that conveyance of the easement to the Redeveloper is necessary, and as such execution and recording of said easement is appropriate.

**NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF
THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:**

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. An easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC for the purposes set forth herein is hereby approved.

Section 3. The Mayor or his designee is hereby authorized to execute an easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC on behalf of the City of Bayonne.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and easement by the City of Bayonne for the benefit of Avenue C Urban Renewal, LLC, shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.