

2025.01.07

A RESOLUTION OF THE SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY AUTHORIZING THE GRANTING OF EASEMENTS IN FAVOR OF THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY ("MCUA") FOR THE RECONSTRUCTION OF COLLAPSED STORM SEWER LINE AND CONSTRUCTION OF A NEW HEADWALL REGARDING BLOCK 257.01, LOT 4

WHEREAS, the Sayreville Economic Redevelopment Agency ("SERA") is the owner of certain real property designated as Block 257.01, Lot 4 on the Tax Map of the Borough of Sayreville, Middlesex County, New Jersey (the "SERA Property"); and

WHEREAS, the SERA Property is located within Redevelopment Parcel "C" of the Borough designated Waterfront Redevelopment Area on the site of the former National Lead Industries property; and

WHEREAS, Sayreville Seaport Associates Urban Renewal, L.P., ("SSA") is the designated redeveloper and ground lessee of the SERA Property; and

WHEREAS, The MCUA operates and maintains a storm sewer, head wall and outfall and related structures (collectively, the "Storm Sewer Line") that are located under the SERA property and adjacent to the closed landfill on Parcel "C", which Storm Sewer Line has collapsed and is in need of immediate repair and reconstruction: and

WHEREAS, the MCUA requires an easement across and under the SERA Property in order to make such repairs and reconstruction and to create a new head wall and to maintain the same; and

WHEREAS, SERA and SSA are willing to grant MCUA easements encumbering a portion of the SERA Property to provide access to the subject premises to repair, dewater, reconstruct and maintain the Storm Sewer Line as set forth in the Deed of Easement attached hereto as Exhibit A

NOW, THEREFORE, BE IT RESOLVED, by the Sayreville Economic and Redevelopment Agency that the Chairperson is hereby authorized to sign the aforementioned **Deed of Easement**, in such form as approved by the Agency Engineer, Agency Attorney and Executive Director; and

IT IS FURTHER RESOLVED that the Chairperson and Agency Professionals are hereby authorized and directed to take any action and to execute any documents as may be necessary to effectuate this Resolution.

OFFERED BY: Kenneth Scott

SECONDED BY: Donna Roberts

Governing Body Recorded Vote:

Members:	Aye	Nay	Abstain	Absent
1. Robert Davis	<u>x</u>	___	___	___
2. Robert DeWise	<u>x</u>	___	___	___
3. Paula Duffy	Resigned 1/2/25	___	___	___
4. Rosetta Fisher	<u>x</u>	___	___	___
5. Steve Grillo	<u>x</u>	___	___	___
6. Trushar Parikh	<u>x</u>	___	___	___
7. Donna Roberts	<u>x</u>	___	___	___
8. Ken Scott	<u>x</u>	___	___	___
9. John Zebrowski	<u>x</u>	___	___	___

I, Himanshu Shah, Secretary and certifying agent of the Sayreville Economic and Redevelopment Agency, hereby certify that the foregoing Resolution was adopted at a regular meeting of the Agency held on January 9, 2025.

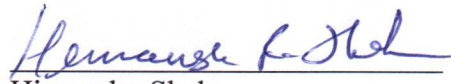

Himanshu Shah
Himanshu Shah
Secretary & Executor Director

Exhibit A
Deed of Easement



**Consulting & Municipal
ENGINEERS**

January 14, 2025
Drainage Easement
Lot 4, Block 257.011, Sayreville Borough
File No. 115.MC00504.P01

DRAINAGE EASEMENT

***Through a portion of Lot 4, Block 257.01
Lands N/F Sayreville Economic and Redevelopment Agency
Borough of Sayreville, Middlesex County, New Jersey***

All that certain tract or parcel of land located along the Raritan River Railroad, Lot 20, Block 62.011, in the Borough of Sayreville, County of Middlesex, State of New Jersey, bounded and described as follows:

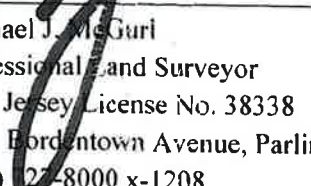
Commencing at a point, said point being the intersection of the northeasterly line of Lot 30.11, Block 257.01, N/F Middlesex County Utilities Authority, with the northwesterly line of Lot 20, Block 62.011, thence; Along said northwesterly line of Lot 20, Block 62.011, North 50° 41' 31" East, a distance of 664.64 feet to the point and place of beginning, said beginning point having NAD 83, NJSPCS Ground coordinate values N. 604,187.1678 feet, E. 543,824.6239 feet, and from said beginning point and in the North American Datum of 1983, U.S. Survey Foot, New Jersey State Plane Coordinate bearing system, running, thence:

Through Lot 4, Block 257.01, the following three (3) courses:

- 1) North 39° 18' 29" West, a distance of 50.00 feet to a point, thence
- 2) North 50° 41' 31" East, a distance of 50.00 feet to a point, thence
- 3) South 39° 18' 29" East, a distance of 50.00 feet to the aforementioned northwesterly line of Lot 20, Block 62.011, thence
- 4) Along said northwesterly line of Lot 20, Block 62.011, South 50° 41' 31" West, a distance of 50.00 feet to the point and place of beginning.

Said description of the Drainage Easement through Lot 4, Block 257.01, containing 2,500 Square Feet or 0.057 Acre, more or less.

The above description was written pursuant to a map entitled "Sketch of Proposed Easements Through Lot 4, Block 257.01, N/F Sayreville Economic and Redevelopment Agency", dated January 14, 2025, prepared by CME Associates. Said description having been prepared by Michael J. McGurl, Professional Land Surveyor, of CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, and is marked by CME Associates as File No. 115.MC00504.P01.



Michael J. McGurl
Professional Land Surveyor
New Jersey License No. 38338
3141 Bordentown Avenue, Parlin, NJ 08859
(732) 27-8000 x-1208

Exhibit B



**Consulting & Municipal
ENGINEERS**

January 14, 2025

Access Easement

Lot 4, Block 257.011, Sayreville Borough

File No. 115.MC00504.P01

TEMPORARY ACCESS EASEMENT

Through a portion of Lot 4, Block 257.01

Lands N/F Sayreville Economic and Redevelopment Agency

Borough of Sayreville, Middlesex County, New Jersey

All that certain tract or parcel of land located along the Raritan River Railroad, Lot 20, Block 62.011, in the Borough of Sayreville, County of Middlesex, State of New Jersey, bounded and described as follows:

Commencing at a point, said point being the intersection of the northeasterly line of Lot 30.11, Block 257.01, N/F Middlesex County Utilities Authority, with the northwesterly line of Lot 20, Block 62.011, thence; Along said northeasterly line of Lot 30.11, Block 257.01, North 39° 18' 29" West, a distance of 20.00 feet to the point and place of beginning, said beginning point having NAD 83, NJSPCS Ground coordinate values N. 603,781.5961 feet, E. 543,297.6852 feet, and from said beginning point and in the North American Datum of 1983, U.S. Survey Foot, New Jersey State Plane Coordinate bearing system, running, thence:

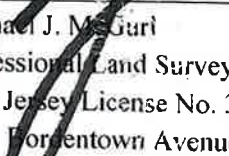
- 1) Along said northeasterly line of Lot 30.11 and continuing along the northeasterly line of Lot 1.03, Block 257.01, North 39° 18' 29" West, a distance of 30.00 feet to a point, thence

Through Lot 4, Block 257.01, the following three (3) courses:

- 2) North 50° 41' 31" East, a distance of 664.64 feet to a point, thence
- 3) South 39° 18' 29" East, a distance of 30.00 feet to a point, thence
- 4) South 50° 41' 31" West, a distance of 664.64 feet to the point and place of beginning.

Said description of the temporary Access Easement through Lot 4, Block 257.01, containing 19,939 Square Feet or 0.458 Acre, more or less.

The above description was written pursuant to a map entitled "Sketch of Proposed Easements Through Lot 4, Block 257.01, N/F Sayreville Economic and Redevelopment Agency", dated January 14, 2025, prepared by CME Associates. Said description having been prepared by Michael J. McGurl, Professional Land Surveyor, of CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, and is marked by CME Associates as File No. 115.MC00504.P01.



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**Consulting & Municipal
ENGINEERS**

January 14, 2025
Dewatering Area Easement
Lot 4, Block 257.011, Sayreville Borough
File No. 115.MC00504.P01

TEMPORARY DEWATERING AREA EASEMENT

***Through a portion of Lot 4, Block 257.01
Lands N/F Sayreville Economic and Redevelopment Agency
Borough of Sayreville, Middlesex County, New Jersey***

All that certain tract or parcel of land located along the Raritan River Railroad, Lot 20, Block 62.011, in the Borough of Sayreville, County of Middlesex, State of New Jersey, bounded and described as follows:


Commencing at a point, said point being the intersection of the northeasterly line of Lot 30.11, Block 257.01, N/F Middlesex County Utilities Authority, with the northwesterly line of Lot 20, Block 62.011, thence; Along said northeasterly line of Lot 30.11, Block 257.01, North 39° 18' 29" West, a distance of 50.00 feet to a point, thence; Through Lot 4, Block 257.01, parallel with the aforementioned northwesterly line of Lot 20, Block 62.011, North 50° 41' 31" East, a distance of 654.22 feet to a point, thence; North 39° 18' 29" West, a distance of 8.89 feet to the point and place of beginning, said beginning point having NAD 83, NJSPCS Ground coordinate values N. 604,226.1392 feet, E. 543,779.2395 feet, and from said beginning point and in the North American Datum of 1983, U.S. Survey Foot, New Jersey State Plane Coordinate bearing system, running, thence:

Through Lot 4, Block 257.01, the following four (4) courses:

- 1) North 39° 18' 29" West, a distance of 20.00 feet to a point, thence
- 2) North 50° 41' 31" East, a distance of 20.00 feet to a point, thence
- 3) South 39° 18' 29" East, a distance of 20.00 feet to a point, thence
- 4) South 50° 41' 31" West, a distance of 20.00 feet to the point and place of beginning.

Said description of the temporary Dewatering Area Easement through Lot 4, Block 257.01, containing 400 Square Feet or 0.009 Acre, more or less.

The above description was written pursuant to a map entitled "Sketch of Proposed Easements Through Lot 4, Block 257.01, N/F Sayreville Economic and Redevelopment Agency", dated January 14, 2025, prepared by CME Associates. Said description having been prepared by Michael J. McGurl, Professional Land Surveyor, of CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, and is marked by CME Associates as File No. 115.MC00504.P01.



Michael J. McGurl
Professional Land Surveyor
New Jersey License No. 38338
3141 Bordentown Avenue, Parlin, NJ 08859
(732) 278-8000 x-1208

Prepared By:

Anthony C. Iacocca

Anthony C. Iacocca, Esq.

DEED OF EASEMENT

THIS EASEMENT AGREEMENT is entered into this ____ day of _____, 2025, by and between SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY, a political subdivision of the State of New Jersey, having an office at 167 Main Street, Sayreville, New Jersey 08872 (“SERA”), SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P. (f/k/a SAYREVILLE SEAPORT ASSOCIATES, L.P.), (“SSA”) a Delaware limited partnership, having an office at c/o PGIM, Inc., 655 Broad Street, Newark, New Jersey 07102 (collectively “Grantors”), and MIDDLESEX COUNTY UTILITIES AUTHORITY, (“MCUA”) a political subdivision of the State of New Jersey, having an office at 2571 Main Street, Sayreville, New Jersey 08872 (“Grantee”).

Transfer of Ownership. The Grantors grant and convey in perpetuity, except as otherwise set forth herein, certain easements on the property described below to the Grantee. This transfer is made for the sum of ONE and 00/100 (\$1.00) DOLLAR. The Grantors acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Sayreville Borough
Block: 257.01 Portion of Lot 4

Property. The property consists of certain land in the Borough of Sayreville, County of Middlesex, and State of New Jersey. The legal description is:

See legal Description of Drainage Easement (Exhibit A), Temporary Construction Access Easement (Exhibit B) and Temporary Dewatering Easement (Exhibit C) on and Through Lot 4, Block 257.01 dated January 14, 2025 and a Sketch of Proposed Easements Through Lot 4 Block 257.01 dated January 2025 (Exhibit D) prepared by Michael J. McGurl, PLS of CME Associates and attached hereto and incorporated herein.

1. Purposes:

A. Permanent Easement. Subject to the reservations of rights herein, the purpose of this Deed of Easement is to allow Grantee to replace existing underground pipes and to construct a headwall at the end of an existing culvert, which are located on a portion of Lot 257.01 in Block 257.01 containing approximately 2,500 square feet or 0.057 acres +/- of land (the “Drainage Easement Area”). See Exhibit A.

B. Temporary Construction Easement. A temporary access easement of 19,939 sq. ft. +/- is granted herein (the “Temporary Construction Access Area”) for the limited term of one (1) year from the date hereof for the purpose of allowing Grantee access to the Drainage Easement and Temporary Dewatering Easement Areas. See Exhibit B.

C. Temporary Dewatering Easement. A temporary 400 sq. ft. easement is granted herein (the “Temporary Dewatering Area”) for the limited term of one (1) year from the date hereof for the purpose of allowing the Grantee to store water from the dewatering of the construction activities in the Drainage Easement Area. See Exhibit C.

Provided however, the Grantee shall not disturb the landfill cap or any

landfill structures in the Drainage Easement Area, The Temporary Construction Access Area or the Temporary Dewatering Easement Area.

2. Reservation of Rights. Grantor reserves the right to modify, reconstruct or relocate the aforementioned headwall and piping, in Grantor's sole and absolute discretion, for the construction or repair of any roadway and related structures, including but not limited to the construction of the Main Street Bypass.

3. Insurance Coverage. In the course of performing any work described in the Easement, Grantee shall require its contractors and subcontractors to maintain the following minimum insurance coverages:

Commercial General Liability Insurance: \$2,000,000.

Automobile Liability Insurance: \$1,000,000.

Workers' Compensation Insurance: Amount required by law.

The policy shall name Grantor and Sayreville Seaport Associates Urban Renewal, L.P. their officials, officers, agents, servants, representatives and employees as Additional Insureds. A Certificate of Insurance evidencing the foregoing coverage shall be provided to Grantor before work on the Improvements begins. Such insurance certificates shall provide for thirty (30) days' notice in writing to Grantor prior to any cancellation, expiration, material changes, or non-renewal during the term of this Deed of Easement.

4. Indemnification. Grantee shall indemnify, defend, and save harmless the Grantor and Sayreville Seaport Associates Urban Renewal, L.P. from any claims, demands, actions, causes of action, damages, actual and reasonable costs, expenses, lawsuits and liabilities, at law or in equity, by reason of personal injuries, including death, sustained by any person or persons and for claims for damages property resulting from the performance of any work in the Easement Area, including any damage caused to the existing Landfill, or landfill cap or structures, which Landfill is in close proximity to the Easement Area.

5. Grantee, its successors and/or assigns, shall be responsible to maintain said Easement Area in perpetuity.

6. No buildings or permanent structures shall be built over the Easement Area, except as specifically permitted herein and as may be necessary for the maintenance, construction and reconstruction of the existing or future road way and related structures.

7. This Deed of Easement shall, except as to the two (2) Temporary Easements, run with the land in perpetuity and shall be binding upon the Grantee, including its successors and/or assigns.

SIGNATURES ON NEXT PAGE

INTENDING TO BE LEGALLY BOUND, the parties have executed this Agreement on the date written on the first page of this Agreement.

WITNESS:

SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY

By: _____

Name: John Zebrowski
Title: Chairman

WITNESS:

SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P.

By: _____

Name:

Name:
Title:

WITNESS:

MIDDLESEX COUNTY UTILITIES AUTHORITY

Name:

Name:
Title:

STATE OF NEW JERSEY)

) ss.:

COUNTY OF _____)

On _____, 2025, before me, the undersigned, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity as _____ of the Sayreville Economic and Redevelopment Agency, and that by his/her signature on the instrument, the Sayreville Economic and Redevelopment Agency executed this instrument.

Notary Public

STATE OF NEW JERSEY)
) ss.:
COUNTY OF _____)

On _____, 2025, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity as _____ of Sayreville Seaport Associates Urban Renewal, L.P., and that by his/her signature on the instrument, Sayreville Seaport Associates Urban Renewal, L.P. executed this instrument.

Notary Public

STATE OF NEW JERSEY)
) ss.:
COUNTY OF _____)

On _____, 2025, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity as _____ of the Middlesex County Utilities Authority, and that by his/her signature on the instrument, the Middlesex County Utilities Authority executed this instrument.

Notary Public

<p style="text-align: center;">DEED OF EASEMENT</p>	<p>Dated: _____, 2025</p>
<p>SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY and SAYREVILLE SEAPORT ASSOCIATES URBAN RENEWAL, L.P., (Grantors)</p> <p style="text-align: center;">to</p> <p>MIDDLESEX COUNTY UTILITIES AUTHORITY (Grantee)</p>	<p>Record and returned to:</p> <p>Hoagland, Longo, Moran, Dunst and Doukas, LLP PO Box 480, 40 Paterson Street New Brunswick, NJ 08901</p> <p>Attn: Anthony C. Iaocca, Esq</p>

Exhibit A
Drainage Easement

Exhibit B
Temporary Construction Access Easement

Exhibit C
Temporary Dewatering Easement

Exhibit D
Sketch of Easements

Deed Book 5473 Page 440

TAX MAP BLOCK No.: 257.01

TAX MAP LOT No.: 4

BOROUGH OF SAYREVILLE

PROPERTY OWNER: N/F SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY

257.01
4

N/F Sayreville Economic and Redevelopment Agency
AREA OF PROPOSED UTILITY EASEMENT = 2,500 S.F. or 0.057 AC.±
AREA OF PROPOSED TEMP ACCESS EASEMENT = 19,939 S.F. or 0.458 AC.±
AREA OF PROPOSED TEMP DEWATERING EASEMENT = 400 S.F. or 0.009 AC.±



1.03

N/F Middlesex County
Utilities Authority

P.O.B. TEMP
ACCESS EASEMENT
N: 603,781.5961
E: 543,297.6852

30.11

N/F Middlesex County
Utilities Authority

N39°18'29"W
30.00' (TE)
20.00' (TE)

P.O.B. TEMP
DEWATERING EASEMENT
N: 604,226.1392
E: 543,779.2395

654.22' (TE)
N50°41'31"E 664.64' (TE)

S50°41'31"W 664.64' (TE)

N50°41'31"E 664.64' (TE)

P.O.B. UTILITY EASEMENT
N: 604,187.1678
E: 543,824.6239

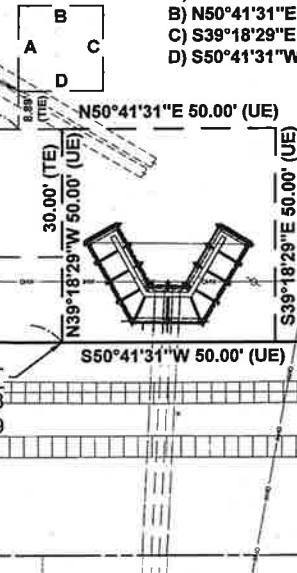
62.011
20

N/F Raritan River Railroad

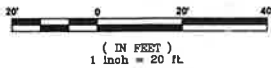
256.01
10


N/F Middlesex County
Utilities Authority

- A) N39°18'29"W 20.00' (TE)
- B) N50°41'31"E 20.00' (TE)
- C) S39°18'29"E 20.00' (TE)
- D) S50°41'31"W 20.00' (TE)



GRAPHIC SCALE



NO.	DESCRIPTION OF REVISION	DATE	DRAWN	CHECKED	RELEASED
SKETCH OF PROPOSED EASEMENTS THROUGH LOT 4, BLOCK 257.01, N/F SAYREVILLE ECONOMIC AND REDEVELOPMENT AGENCY PREPARED FOR MIDDLESEX COUNTY UTILITIES AUTHORITY SITUATED IN BOROUGH OF SAYREVILLE MIDDLESEX COUNTY  CONSULTING AND MUNICIPAL ENGINEERS NO. CERTIFICATE OF AUTHORIZATION NO. JH-628285000 3141 BORDENTOWN AVENUE, HILLSIDE, NEW JERSEY 07036-1122 1-800-THE-9-DOCK, HONOLULU, NEW JERSEY 07731-1134 (732) 727 8000 (732) 452 7400 MICHAEL J. MCGUIRE, P.L.S. NEW JERSEY PROFESSIONAL LAND SURVEYOR LIC. 38338 SCALE: 1" = 20' DATE: 1/14/2025 DRAWN BY: MLB CHECKED BY: MAM DESIGNED BY: SHEET: 1 of 1 DRAWING NUMBER: E-1					

File Path: C:\Users\mjc\OneDrive\Documents\2025\257.01\257.01.dwg