

ORDINANCE NO. 2009- 3

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AUTHORIZING THE CONVEYANCE OF A RIGHT OF WAY TO THE BOROUGH
UPON CERTAIN PORTIONS OF THE PROPERTY KNOWN AS
55 FISHER PLACE, BLOCK 13, LOTS 20.17 AND 20.18 FROM
PATRICK MCGEEHAN AND KERRI LYNN MCGEEHAN

WHEREAS , Patrick McGeehan and Kerri Lynn McGeehan ("the Grantors") received approval from the Planning Board of the Borough of Red Bank to develop certain portions of the property known as Block 13, Lots 20.17 and 20.18, commonly known as 55 Fisher Place under Resolution No. 2008-09; and

WHEREAS , the Planning Board required in Resolution 2008-09, as more particularly set forth in the Borough Engineer's review letters dated November 5, 2005 and January 23, 2007, that the applicant convey to the Borough a Deed of Right of Way for certain portions of the property in order to provide for future improvements to the roads, curbing and sidewalks therein; now therefore;

BE IT ORDAINED by the Governing Body of the Borough of Red Bank as follows:

SECTION ONE: The Borough of Red Bank hereby accepts from Patrick McGeehan and Kerri Lynn McGeehan a right of way upon and across certain portions of Block 13, Lots 20.17 and 20.18, for the purpose of maintaining, repairing, renewing or enlarging the property and for doing anything necessary, useful or convenient for the enjoyment of the right of way granted, as shown upon the Deed Description of a Right of Way Dedication to the Borough of Red Bank for a Proposed Cul-De-Sac for Fisher Place as prepared by David H. Yorkanis, P.L.S., P.P. in accordance with the plat entitled, "Boundary Survey & Major Subdivision Map of Property Known as Lots 20.17 and 20.18 in Block 13...", dated May 5, 2005 and revised to April 10, 2008.

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION THREE: If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: February 23, 2009

Final Reading: March 9, 2009