

2nd AND FINAL READING:

**AN ORDINANCE AUTHORIZING THE SALE OF A
PORTION OF LOT 13 BLOCK 580, KNOWN AS 1601
WEST EDGAR ROAD, ON THE CURRENT TAX ATLAS
OF THE CITY OF LINDEN IN THE COUNTY OF UNION
AND NOT NEEDED FOR PUBLIC USE.**

BE IT ORDAINED by the City Council of the City of Linden in the County of Union, as follows:

Section 1. It is hereby determined that a portion of the premises owned by the City of Linden, Lot 13, Block 580, on the current tax atlas of the City of Linden is not needed for public use and the same is available for sale. Said premises is known as 1601 West Edgar Road.

Section 2. The land is vacant, but in any event the condition of the land is being sold “as is.”

Section 3. The New Jersey Department of Transportation (“NJ DOT”) is performing an intersection improvement at Route 1&9 at Avenue C, and is need of the property, which is referenced as Exhibit “A”, Mets and Bounds Description and as Exhibit “B”, Parcel Map.

Section 4. The NJ DOT has offered the City \$15,000.00, which the parties agree is fair market value.

Section 5. Pursuant to N.J.S.A. 40A:12-13, the City may sell property not need for public use to another governmental entity such as the NJ DOT.

Section 6. The Deed shall be a Bargain and Sale Deed and shall recite that such conveyance is to be made subject to such facts as may be disclosed by an accurate survey, and also subject to easements of record, if any.

Section 7. If title to said land shall prove to be unmarketable, the liability of the City shall be limited to the voiding of the sale. Title shall be deemed to be good and marketable if it be such as will be insured by a recognized title company authorized to do business in New Jersey.

Section 8. Closing of title shall take place within sixty days (60) days after the City Council of the City of Linden in the County of Union adopts this ordinance.

Section 9. The Deed to be delivered at the time of closing will contain a metes and bounds description of the aforementioned lot and block reference, to be supplied by NJ DOT.

Section 10. This ordinance shall constitute the notice of sale and shall be published in full in the newspaper as required by law.

Section 12. Closing shall take place at City Hall, located at 301 N. Wood Avenue, Linden, N.J. 07036 or as agreed to by the parties.

Section 13. This Ordinance shall become effective immediately after publication in the manner provided by law.

PASSED:

APPROVED:

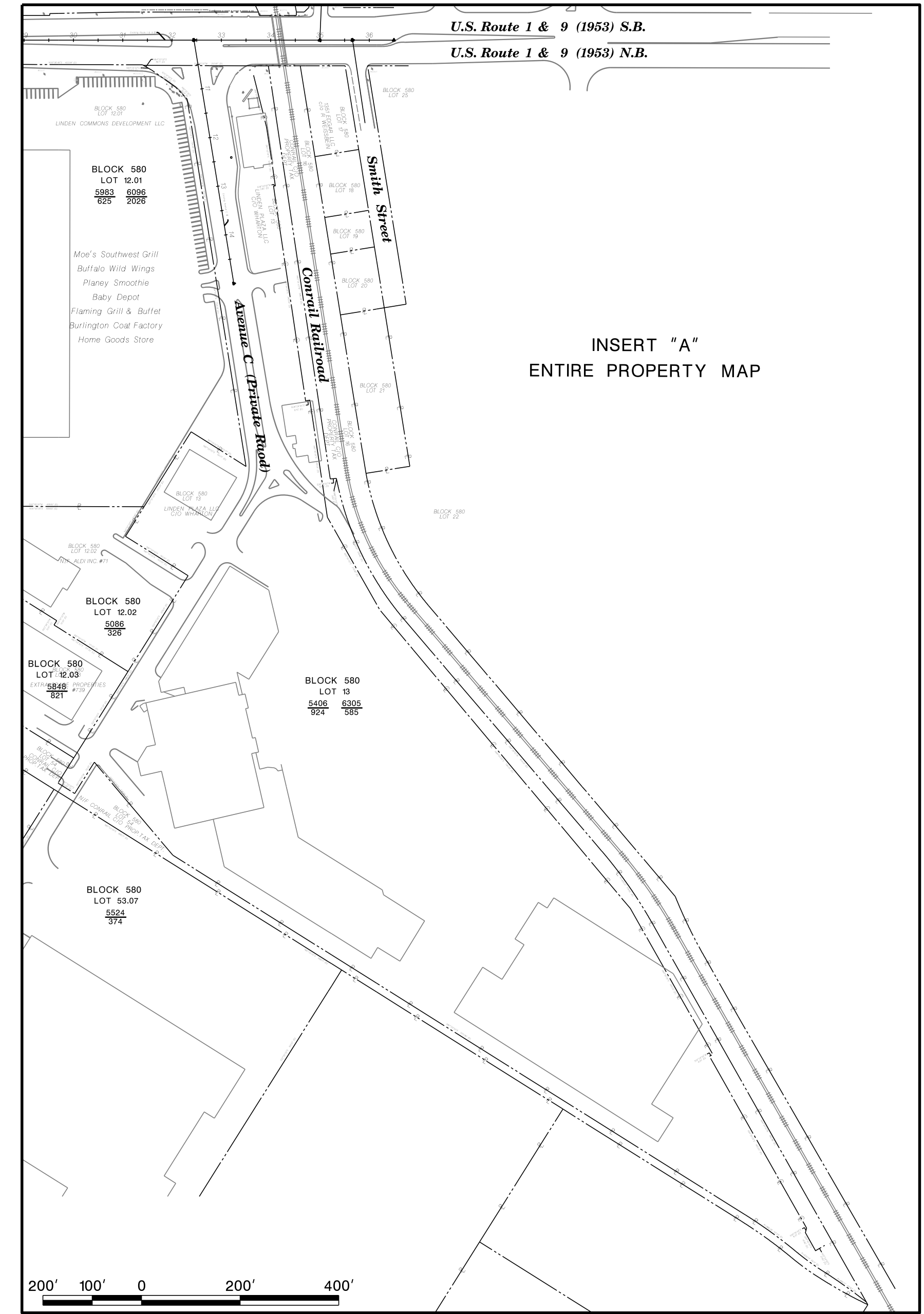
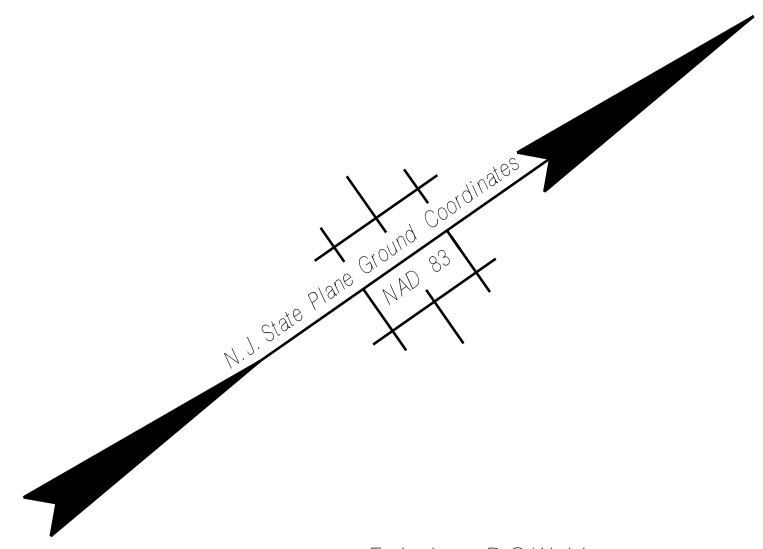
ATTEST:

City Clerk

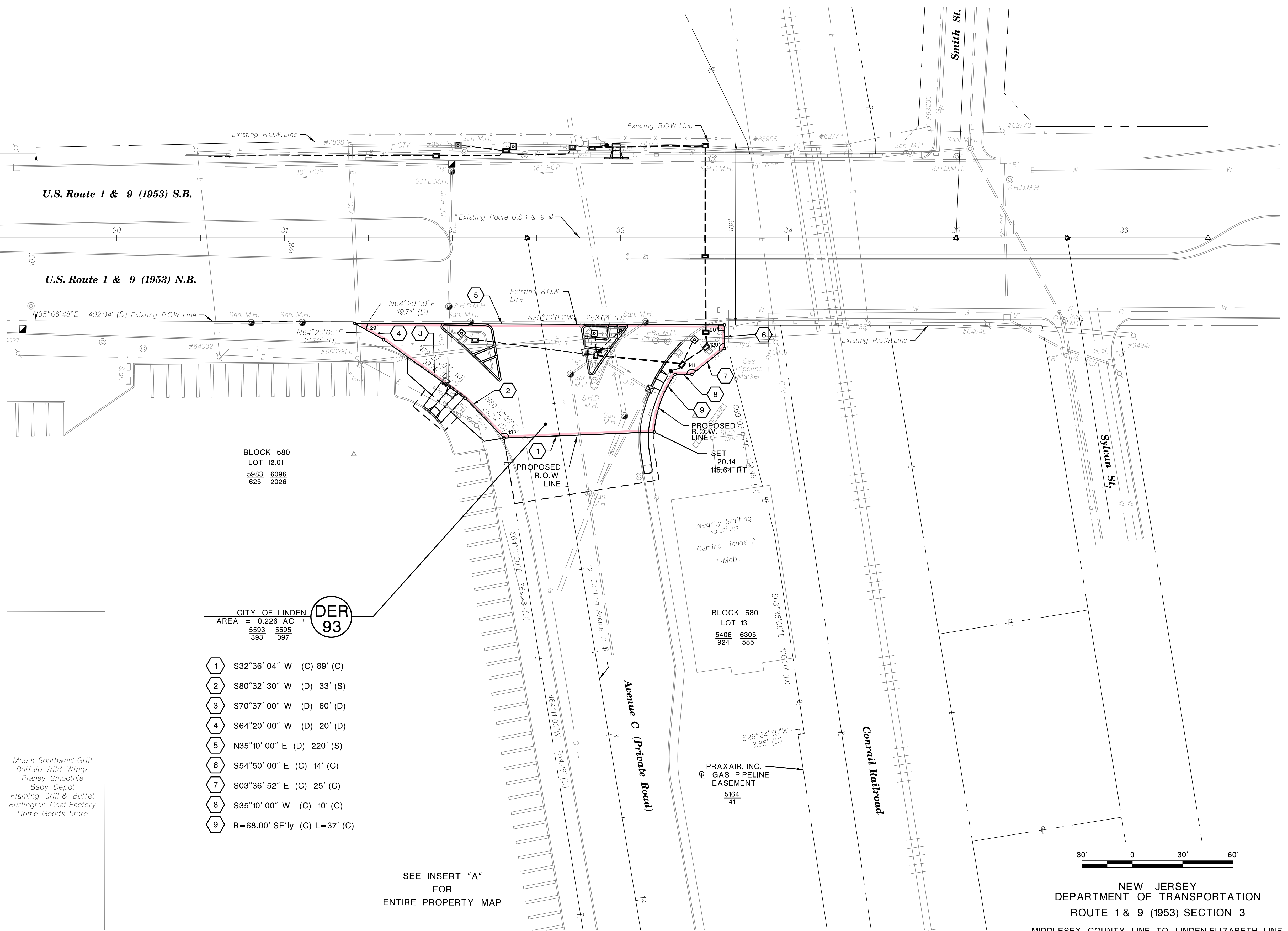
President of Council

Mayor

APPROVED AS TO FORM BY:
Daniel Antonelli, City Attorney



INSERT "A"
ENTIRE PROPERTY MAP



BLOCK 580
LOT 12.01
5983 6096
625 2026

CITY OF LINDEN **DER 93**
 AREA = 0.226 AC ±
 5593 5595
 393 097

- 1 S32°36' 04" W (C) 89' (C)
- 2 S80°32' 30" W (D) 33' (S)
- 3 S70°37' 00" W (D) 60' (D)
- 4 S64°20' 00" W (D) 20' (D)
- 5 N35°10' 00" E (D) 220' (S)
- 6 S54°50' 00" E (C) 14' (C)
- 7 S03°36' 52" E (C) 25' (C)
- 8 S35°10' 00" W (C) 10' (C)
- 9 R=68.00' SE'ly (C) L=37' (C)

SEE INSERT "A"
FOR
ENTIRE PROPERTY MAP

ETM REFERENCE SHEET 2 OF 2
 GPPM REFERENCE SHEET 1 OF 3

PARCEL DER93

CONSTRUCTION PROJECT: INTERSECTION IMPROVEMENT PROGRAM,
 CONTRACT NO. 040173010
 ROUTE 1 & 9 AVENUE C
 SAFETY IMPROVEMENTS

COLOR CODE
 PINK - DOMINANT ESTATE LINE

NEW JERSEY
 DEPARTMENT OF TRANSPORTATION
 ROUTE 1 & 9 (1953) SECTION 3
 MIDDLESEX COUNTY LINE TO LINDEN-ELIZABETH LINE

PARCEL DER93

All that certain land and premises, situate, lying and being in the City of Linden, County of Union and State of New Jersey and more particularly described as follows:

Parcel DER93, as indicated on a map entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, GENERAL PROPERTY PARCEL MAP, ROUTE U.S. 1 & 9 (1953), Section 3, Middlesex County Line to Linden-Elizabeth Line, Showing Existing Right of Way And Parcels To Be Acquired In The Cities of Rahway and Linden, Union County, September, 2017"; and as shown more particularly on a map attached hereto and made a part hereof, marked "Exhibit B", entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, U.S. ROUTE 1 & 9 (1953), Section 3, Middlesex County Line to Linden-Elizabeth Line, Showing Existing Right of Way And Parcels To Be Acquired In The Cities of Rahway and Linden, Union County, September, 2017", and also being construction project Intersection Improvement Program, Contract 2017-1, Route 1 & 9, Avenue C, Safety Improvements, Contract # 040173010;

Parcel DER93, at about Station 32+75, Route 1 & 9 (1953) Existing Baseline Stationing, consisting of the owners' right to the ingress and egress through a private easement held in the lands now or formerly by Linden Plaza, LLC, c/o Wharton, as shown on the aforesaid maps. The acquisition of Parcel DER93 does not change any rights the owner may have within the remainder of the existing easement, and more particularly described as follows:

BEGINNING at a point in the proposed northeasterly right of way line of Route U.S. 1 & 9 (1953) Section 3, said point being 115.64 feet northeasterly of and perpendicular to Route U.S. 1 & 9 (1953) existing baseline Station 33+20.14, as laid down on the aforesaid maps, and running thence:

- (1) South 32° 36' 04" West (calculated), 89 feet (calculated), along said proposed right of way line;
- (2) South 80° 32' 30" West (deed), 33 feet (scaled), along said proposed right of way line;
- (3) South 70° 37' 00" West (deed), 60 feet (deed), along said proposed right of way line;
- (4) South 64° 20' 00" West (deed), 20 feet (deed), to the point of intersection of the existing right of way line of US Route 1 & 9;
- (5) North 35° 10' 00" East (deed), 220 feet (scaled), along the existing line of US Route 1 & 9 to the point of intersection with the proposed right of way line;
- (6) South 54° 50' 00" East (calculated), 14 feet (calculated), along said proposed right of way line;
- (7) South 03° 36' 52" East (calculated), 25 feet (calculated), along said proposed right of way line;
- (8) South 35° 10' 00" West (calculated), 10 feet (calculated), along said proposed right of way line;
- (9) Southeasterly, 37 feet (calculated) along an arc of a curve to the left, having a radius of 68.00 feet along the proposed right of way to the point and place of beginning;

Containing 0.226 acres of land, more or less;

Being also known as part of Lot 13 in Block 580 as shown on the Tax Maps for the City of Linden, Union County;

AND ALSO, any ownership, reversionary or associated right, title and interest that the owner may have in the right of way of Route U.S. 1 & 9 (1953) and Avenue C, contiguous to the above described premises as shown on the aforesaid map;

SUBJECT HOWEVER, to all public utility easements, recorded or unrecorded, affecting the herein described premises;

The above-described premises are color coded on "Exhibit "B" in the following manner:
Pink – Dominant Estate Line.