

RESOLUTION NO. 45 - 10

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

May 17, 2010

**A Resolution Accepting and Approving Execution of a
Deed of Easement Agreement Affecting a Portion of
Block 382, Lot 6 (formerly Block 380, Lot 6),
Brick Township, New Jersey**

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has requested an easement and right-of-way from ROBERT C. BAKER, ELLEN S. OSHINS, and GAYLE G. FERRY ("Property Owners"), all having an address at c/o National Realty & Development Corp., 3 Manhattanville Road, Purchase, New York 10577, for property known and designated as a portion of Block 382 Lot 6 (formerly Block 380, Lot 6), Brick Township, New Jersey (the "property"); and

WHEREAS, the Authority is in need of an easement across the property to install, construct, alter, repair, replace, remove, operate and maintain utility lines, wells, pumps, tanks and all necessary laterals thereto, including, without limitation, use of the surface of the ground for manholes, ventilators and other necessary appurtenances; and

WHEREAS, a Deed of Easement has been prepared by John J. Jackson, III, attorney for Property Owners, and has been reviewed by the Authority staff and Solicitor and found to be acceptable as to form and content; and

WHEREAS, the Deed of Easement is made for and in consideration of One and 00/100 (\$1.00) Dollar, and other good and valuable consideration:

NOW, THEREFORE, BE IT RESOLVED this 17th day of May, 2010, by the Brick Township Municipal Utilities Authority, as follows:

1. The Authority accepts the recommendations of its staff and Solicitor and hereby accepts the proposed Deed of Easement prepared by the attorney for the Property Owners for and in consideration of \$1.00, and other good and valuable consideration.

2. The Authority authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.

3. A copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- (a) Honorable Patrick L. Bottazzi, Chairman;
- (b) James Lacey, Executive Director;
- (c) Stephen Specht, P.E., Deputy Executive Director;
- (d) Frank Planko, CFO;
- (e) Jerry J. Dasti, Esq.; and
- (f) John J. Jackson, Esq., Counsel for Lake Real Estate Brick, LLC

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 17th day of May, 2010, a quorum being present and voting in the majority.



JOSEPH P. BUTTACAVOLI, DMD
Secretary

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

JJD/caf[BTMUA - Resolutions 2010 - GL#18765]
[BTMUA - Lake Real Estate Brick, LLC- Easement Agmt. - GL#18836]

**DASTI, MURPHY
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COUNSELLORS AT LAW

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