

**BOROUGH OF PENNS GROVE  
SALEM COUNTY, NEW JERSEY**

**ORDINANCE NO. 2022-11**

**AN ORDINANCE AUTHORIZING  
ATLANTIC CITY ELECTRIC COMPANY  
GRANT OF UTILITY EASEMENT AND RIGHT OF WAY FOR  
BLOCK 94, LOT 1; RATIFYING AND AUTHORIZING  
THE EXECUTION OF ALL DOCUMENTS NECESSARY  
TO IMPLEMENT SAID EASEMENT**

**THIS EASEMENT** (“Easement”) is made on the 5<sup>th</sup> day of July, 2022, between the **BOROUGH OF PENNS GROVE**, 1 State St, Penns Grove, N.J. 08069; hereinafter referred to as "Grantor," and **ATLANTIC CITY ELECTRIC COMPANY**, a New Jersey Corporation, with an office located at 5100 Harding Highway, Mays Landing, New Jersey 08330, hereinafter referred to as “Grantee,”

**WITNESSETH**

**WHEREAS**, the Borough of Penns Grove is the fee simple title owner of certain property abutting Virginia Ave; designated as Block 94, Lot 1, the “subject lot,” located in the Borough of Penns Grove, County of Salem, State of New Jersey; and

**WHEREAS**, it is the practice of the Borough to permit public utility easements upon pertinent property needed for public utility companies and facilities to provide essential services in furtherance of them undertaking necessary construction, maintenance, repair, relocation, replacement, and other improvements in order to maintain the efficacy of the Borough’s infrastructure; and

**WHEREAS**, Atlantic City Electric Company intends to install a new pole and supporting electrical infrastructure in furtherance of providing electrical service to nearby property(s) which necessitates the perpetual grant of access to real property located upon the subject lot; and

**WHEREAS**, Atlantic City Electric requires an easement in order to install necessary improvements, with such terms and conditions to this easement so stated in the document attached hereto as “Exhibit A;” and

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Borough of Penns Grove, County of Salem and State of New Jersey as follows:

**SECTION 1.** The recitals set forth above are incorporated herein as if set forth at length.

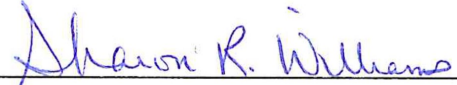
**SECTION 2.** The Mayor, or her designee, is hereby authorized to execute and record such utility easement agreement and associated documents as may be necessary to provide the easement described above and in the attached referenced Agreement hereto.

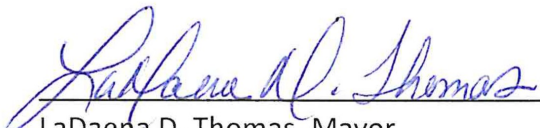
**SECTION 3.** If any portion of this Ordinance is declared invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect.

**SECTION 4.** All Ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent such inconsistency.

**SECTION 5:** This ordinance shall take effect upon its final passage and publication as required by law.

ATTEST:

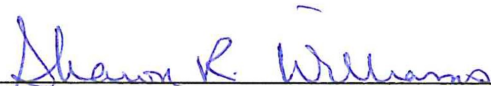
  
 \_\_\_\_\_  
 Sharon R. Williams, Municipal Clerk

  
 \_\_\_\_\_  
 LaDaena D. Thomas, Mayor

**Intro:**

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter			X			
Martin		X	X			
Mincey						X
Rambo			X			
Scarpaci						X
Worley	X		X			

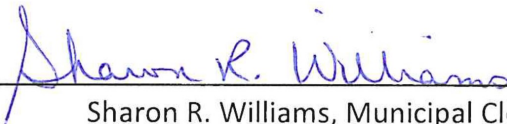
**Notice:** The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on June 9, 2022 and will be considered for final passage at a meeting to be held by the Mayor and Council at Borough Hall, Broad Street and State Street, Penns Grove, New Jersey on July 5, 2022 at which time any interested person will be given an opportunity to be heard.

  
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 Sharon R. Williams, Municipal Clerk

**FINAL:**

Council	MOVED	SECONDED	Y	N	ABSTAIN	ABSENT
Carter		X	X			
Martin			X			
Mincey			X			
Rambo			X			
Scarpaci			X			
Worley	X		X			

**Notice:** The above ordinance was introduced and passed on the first reading at the meeting of the Mayor and Council of the Borough of Penns Grove in the County of Salem held on the 9th day of June 2022 and was adopted, after a public hearing was held by the Mayor and Council at Borough Hall, 1 State Street, Penns Grove, New Jersey on July 5, 2022.

  
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Sharon R. Williams, Municipal Clerk