

ORDINANCE NO. 24-12  
INTRODUCTION DATE: 08-21-2024  
ADOPTION DATE: 09-04-2024

ORDINANCE VACATING DRAINAGE EASEMENTS FOR BLOCK 18.02, LOT 1  
(FORMERLY BLOCK 18.02, LOTS 3, 4 AND 5)

---

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey as follows:

**I**

WHEREAS, XXXIII Associates, as developer of Subdivision No. PB 06-02, located on State Highway 33 (Riverside Center), received subdivision approval to subdivide Block 18, Lot 2.02 into nine lots; and

WHEREAS, as part of the subdivision approval, the following drainage easements were conveyed by XXXIII Associates to the Township of Millstone:

1. Drainage Easement for Block 18.02, Lots 3 and 5, recorded in the Monmouth County Clerk's Office on May 25, 2010 in Book OR 8833, Page 5224.
2. Drainage Easement for Block 18.02, Lot 4, recorded in the Monmouth County Clerk's Office on May 25, 2010 in Book OR 8833, Page 5215; and

WHEREAS, XXXIII Associates conveyed three of the nine lots known as Block 18.02, Lots 3, 4 and 5 to Scannell Properties 434, LLC (hereafter Scannell Properties) and Scannell Properties consolidated Block 18.02, Lots 3, 4 and 5 into one lot now known as Block 18.02, Lot 1 (hereafter the Property); and

WHEREAS, Scannell Properties has received site plan approval to construct a warehouse/office building on the Property and has requested that the Township vacate the two Drainage Easements as they are no longer required and are in conflict with the site development; and

WHEREAS, the Township Engineer has advised that the Drainage Easements are no longer necessary, the drainage pipes were removed, and the easements can be vacated since alternate stormwater management including a detention basin was proposed as part of the new site plan approval; and

WHEREAS, the Drainage Easements to be vacated are described in the metes and bounds descriptions and sketches attached hereto as Exhibits A-1, A-2, B-1 and B-2; and

WHEREAS, the Township is hereby authorized to execute an Indemnity Agreement with Scannell Properties in a form to be reviewed and approved by the Township Attorney.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Millstone that the Drainage Easements that were recorded in the Monmouth County

14

# CREST

Engineering Associates Inc.

June 26, 2007; revised 5/29/09  
File No. N-3522 (1802.3dresmt)

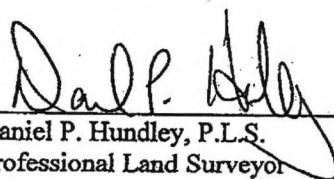
DESCRIPTION of a 25 foot Wide Drainage Easement on Proposed Lot 3 in Block 18.02, being a portion of existing Lot 2.02 in Block 18 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

BEGINNING at a point along the southerly Right of Way line of Farrington Boulevard (70' wide R.O.W.), said point being 85.00 feet easterly from the intersection of the northerly line of Farrington Boulevard and the common corner of Lot 2.01 Block 18 and Lot 3 Block 18.02 and from said beginning point running:

1. Along Farrington Boulevard, North 81° 37' 39" East, a distance of 20.00 feet to a point; thence
2. Running through Lot 3 Block 18.02, South 08° 22' 21" East, a distance of 25.00 feet to a point; thence
3. Running along the same, South 81° 37' 39" West, a distance of 20.00 feet to a point; thence
4. Running along the same North 08° 22' 21" West, a distance of 25.00 feet to the point of beginning.

Containing 500 square feet more or less.

The above referenced easement is shown on a map entitled "FINAL PLAT - MAJOR SUBDIVISION, LOT 2.02, BLOCK 18, MILLSTONE TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY", prepared by Crest Engineering Associates Inc. on March 01, 2007, last revised May 29, 2009.

  
Daniel P. Hundley, P.L.S.  
Professional Land Surveyor  
N.J. License No. 33174

100 Rike Drive  
Millstone Township, NJ 08535  
Ph 609-448-5550 • Fax 609-448-2157  
crestnj@crestengineering.net

www.crestengineering.net

12 Robbins Parkway  
Toms River, NJ 08753  
Ph 732-244-0888 • Fax 732-244-0788  
cresttr@crestengineering.net

As Landmark Land Consultants, Englewood, Florida 941-475-5651

As HEDJ Engineering, Sarasota, Florida 941-955-9948



⑧

# CREST

Engineering Associates Inc.

June 27, 2007; revised 5/29/09  
File No. N-3522 (1802.5dresmt)

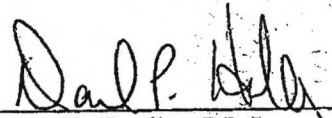
DESCRIPTION of Drainage Easement on Proposed Lot 5 in Block 18.02, being a portion of existing Lot 2.02 in Block 18 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

BEGINNING at the northwest corner of proposed Lot 5 in Block 18.02, and from said beginning point running:

1. North 61° 18' 31" East, a distance of 25.00 feet to a point; thence
2. South 28° 41' 29" East, a distance of 30.00 feet; thence
3. South 61° 18' 31" West, a distance of 36.98 feet to proposed Lot 3 in Block 18.02; thence
4. Along said Lot 3, North 06° 54' 53" West, a distance of 32.30 feet to the point of beginning.

Containing 930 square feet more or less.

The above referenced easement is shown on a map entitled "FINAL PLAT - MAJOR SUBDIVISION, LOT 2.02, BLOCK 18, MILLSTONE TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY", prepared by Crest Engineering Associates Inc. on March 01, 2007, last revised May 29, 2009.



Daniel P. Hundley, P.L.S.  
Professional Land Surveyor  
N.J. License No. 33174

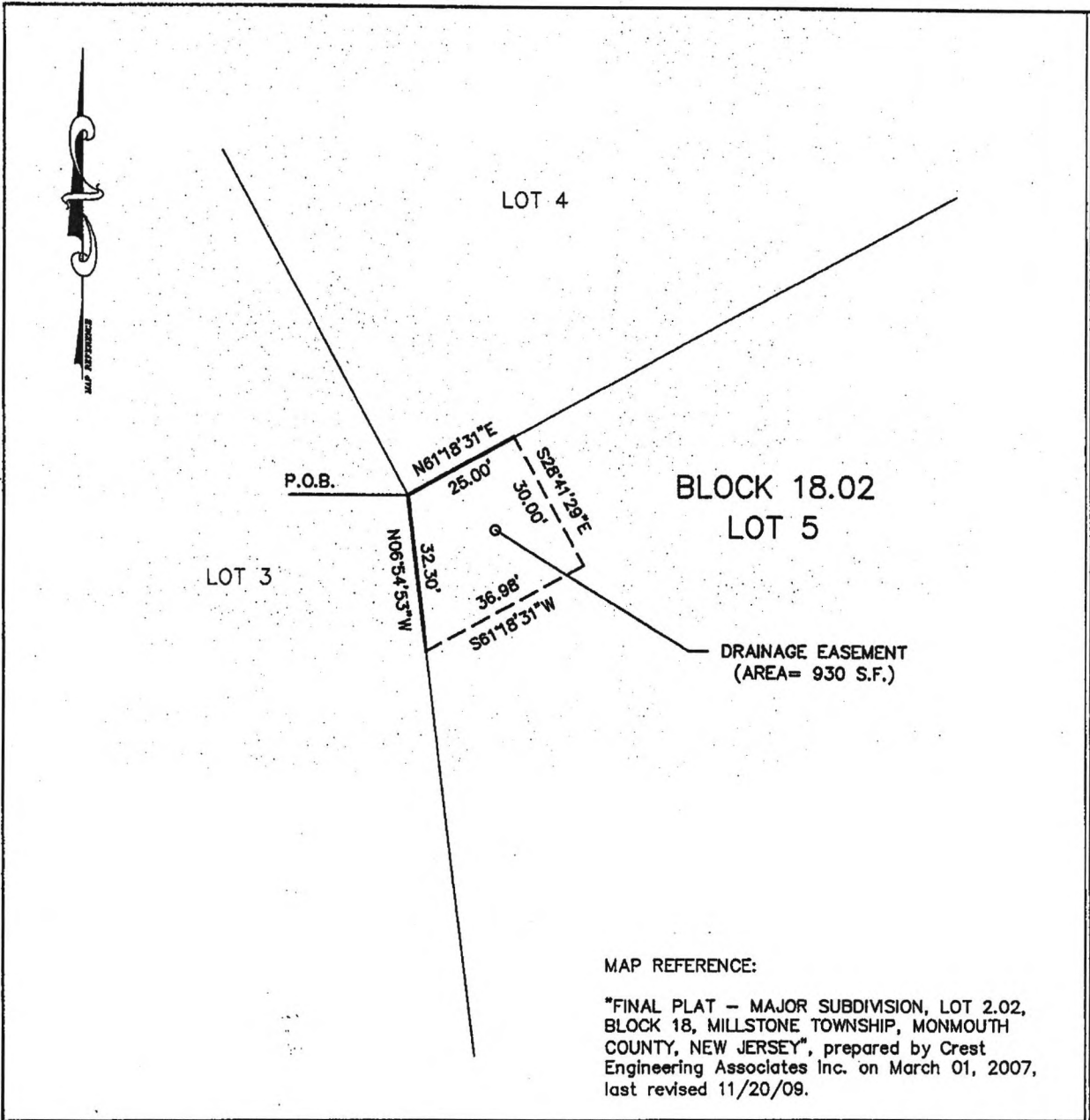
100 Rike Drive  
Millstone Township, NJ 08535  
Ph 609-448-5550 • Fax 609-448-2157  
crestnj@crestengineering.net

www.crestengineering.net

12 Robbins Parkway  
Toms River, NJ 08753  
Ph 732-244-0888 • Fax 732-244-0788  
cresttr@crestengineering.net

As Landmark Land Consultants, Englewood, Florida 941-475-5651  
As HEDJ Engineering, Sarasota, Florida 941-955-9948

(2)



**CREST**

Engineering Associates Inc.  
Civil & Environmental Engineers  
Professional Planners • Surveyors • Landscape Architects  
• CERTIFICATE OF AUTHORIZATION NO. 246A27989300 •

100 RIKE DRIVE  
MILLSTONE TOWNSHIP, N.J. 08535  
PH (609) 448-5650

12 ROGERS PKWY.  
AT WATER STREET  
TOMS RIVER, N.J. 08753  
PH (732) 244-0888

*Daniel P. Hundley*

**DANIEL P. HUNDLEY**  
PROFESSIONAL LAND SURVEYOR N.J. LICENSE No. 33174

SKETCH OF  
DRAINAGE EASEMENT  
LOT 5  
BLOCK 18.02  
MILLSTONE TOWNSHIP  
MONMOUTH COUNTY, NEW JERSEY

DATE 11/20/09	DRAWN AF	CHECKED KAW
SCALE 1"=30'	FILE No. N-3522	DWG. No. ESMT-SKETCHES-II

10

# CREST

June 27, 2007; revised 5/29/09  
File No. N-3522 (1802.4dresmt2)

Engineering Associates Inc.

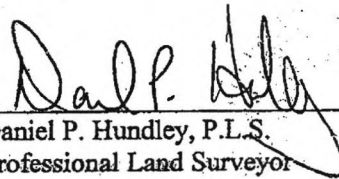
DESCRIPTION of a 20 foot Wide Drainage Easement on Proposed Lot 4 in Block 18.02, being a portion of existing Lot 2.02 in Block 18 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

BEGINNING at a point that is distant 220.95 on a course of North 61°18'31" East from the northwest corner of proposed Lot 4 in Block 18.02, and from said beginning point running:

1. Along Farrington Boulevard (proposed), North 61° 18' 31" East, a distance of 20.00 feet to a point; thence
2. South 28° 41' 29" East, a distance of 30.00 feet; thence
3. South 61° 18' 31" West, a distance of 20.00 feet; thence
4. North 28° 41' 29" West, a distance of 30.00 feet to the point of beginning.

Containing 600 square feet more or less.

The above referenced easement is shown on a map entitled "FINAL PLAT - MAJOR SUBDIVISION, LOT 2.02, BLOCK 18, MILLSTONE TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY", prepared by Crest Engineering Associates Inc. on March 01, 2007, last revised May 29, 2009.

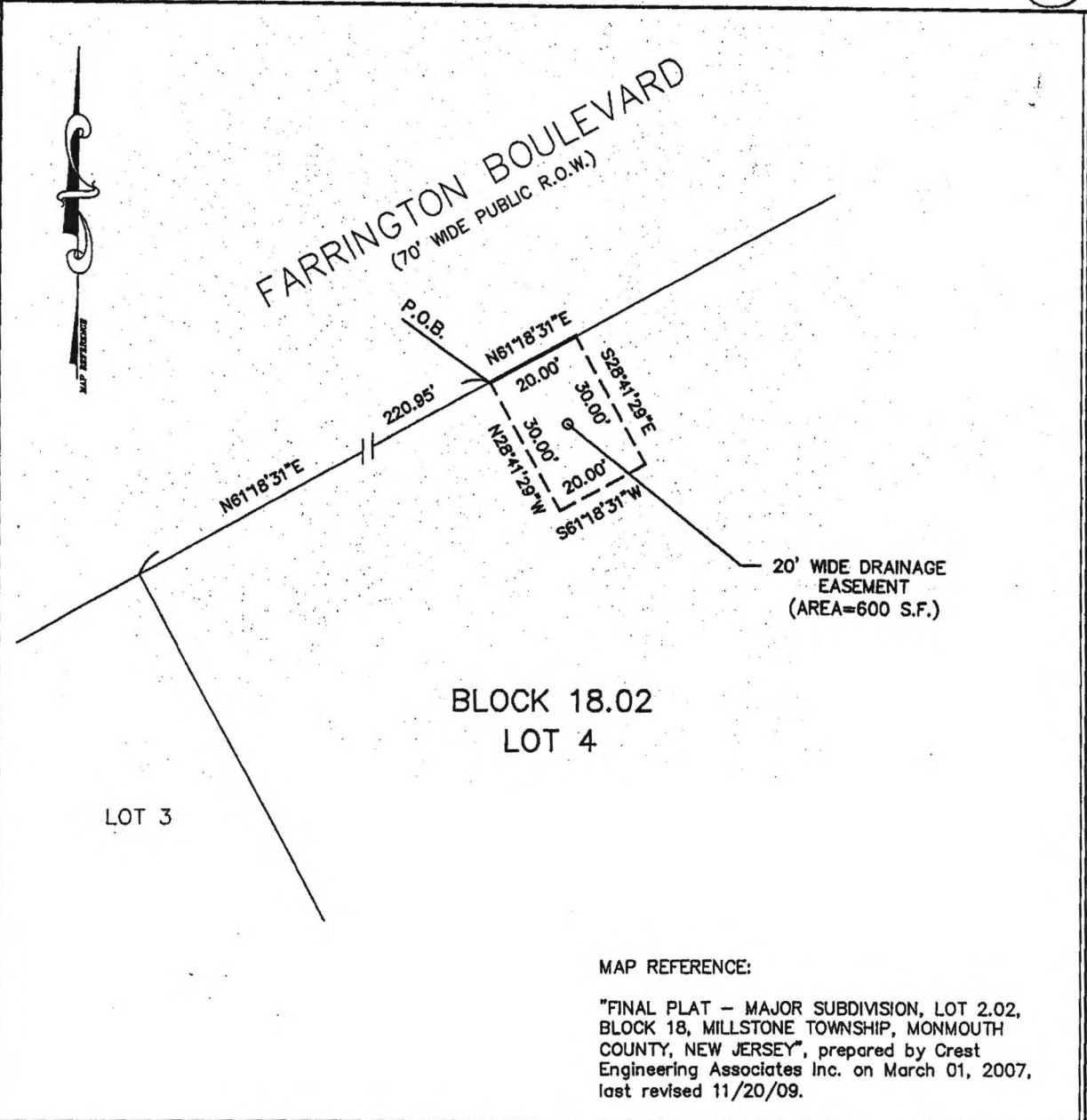


Daniel P. Hundley, P.L.S.  
Professional Land Surveyor  
N.J. License No. 33174

100 Rike Drive  
Millstone Township, NJ 08535  
Ph 609-448-5550 • Fax 609-448-2157  
crestnj@crestengineering.net      www.crestengineering.net

12 Robbins Parkway  
Toms River, NJ 08753  
Ph 732-244-0888 • Fax 732-244-0788  
cresttr@crestengineering.net

As Landmark Land Consultants, Englewood, Florida 941-475-5651  
As HEDJ Engineering, Sarasota, Florida 941-955-9948



MAP REFERENCE:  
 "FINAL PLAT - MAJOR SUBDIVISION, LOT 2.02, BLOCK 18, MILLSTONE TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY", prepared by Crest Engineering Associates Inc. on March 01, 2007, last revised 11/20/09.

**CREST**  
 Engineering Associates Inc.  
 Civil & Environmental Engineers  
 Professional Planners - Surveyors - Landscape Architects  
 CERTIFICATE OF AUTHORIZATION NO. 24GA27989300

100 RIKE DRIVE  
 MILLSTONE TOWNSHIP, N.J. 08535  
 PH (609) 448-5250

12 ROBBINS PKWY.  
 AT WATER STREET  
 TONS RIVER, N.J. 08753  
 PH (732) 244-9888

*Daniel P. Hundley*  
**DANIEL P. HUNDLEY**  
 PROFESSIONAL LAND SURVEYOR N.J. LICENSE No. 33174

SKETCH OF  
 20 FOOT WIDE DRAINAGE EASEMENT  
 LOT 4  
 BLOCK 18.02  
 MILLSTONE TOWNSHIP  
 MONMOUTH COUNTY, NEW JERSEY

DATE 11/20/09	DRAWN AF	CHECKED KAW
SCALE 1"=30'	FILE No. N-3522	DWG. No. ESMT-SKETCHES-II

9

# CREST

Engineering Associates Inc.

June 26, 2007; revised 5/29/09  
File No. N-3522 (1802.4dresmt)

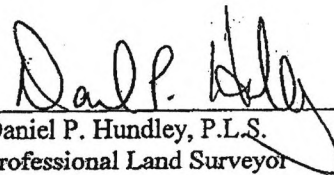
DESCRIPTION of a 25 foot Wide Drainage Easement on Proposed Lot 4 in Block 18.02, being a portion of existing Lot 2.02 in Block 18 as shown on the current Tax Map of Millstone Township, Monmouth County, New Jersey.

BEGINNING at the northwest corner of proposed Lot 4 in Block 18.02, and from said beginning point running:

1. Along Farrington Boulevard (proposed), North 61° 18' 31" East, a distance of 25.00 feet to a point; thence
2. South 28° 41' 29" East, a distance of 322.67 feet to proposed lot 5 in Block 18.02; thence
3. Along said Lot 5, South 61° 18' 31" West, a distance of 25.00 feet to the southwest corner of proposed Lot 4; thence
4. Along the westerly line of proposed Lot 4, North 28° 41' 29" West, a distance of 322.67 feet to the point of beginning.

Containing 8,067 square feet more or less.

The above referenced easement is shown on a map entitled "FINAL PLAT - MAJOR SUBDIVISION, LOT 2.02, BLOCK 18, MILLSTONE TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY", prepared by Crest Engineering Associates Inc. on March 01, 2007, last revised May 29, 2009.



Daniel P. Hundley, P.L.S.  
Professional Land Surveyor  
N.J. License No. 33174

100 Rike Drive  
Millstone Township, NJ 08535  
Ph 609-448-5550 · Fax 609-448-2157  
crestnj@crestengineering.net

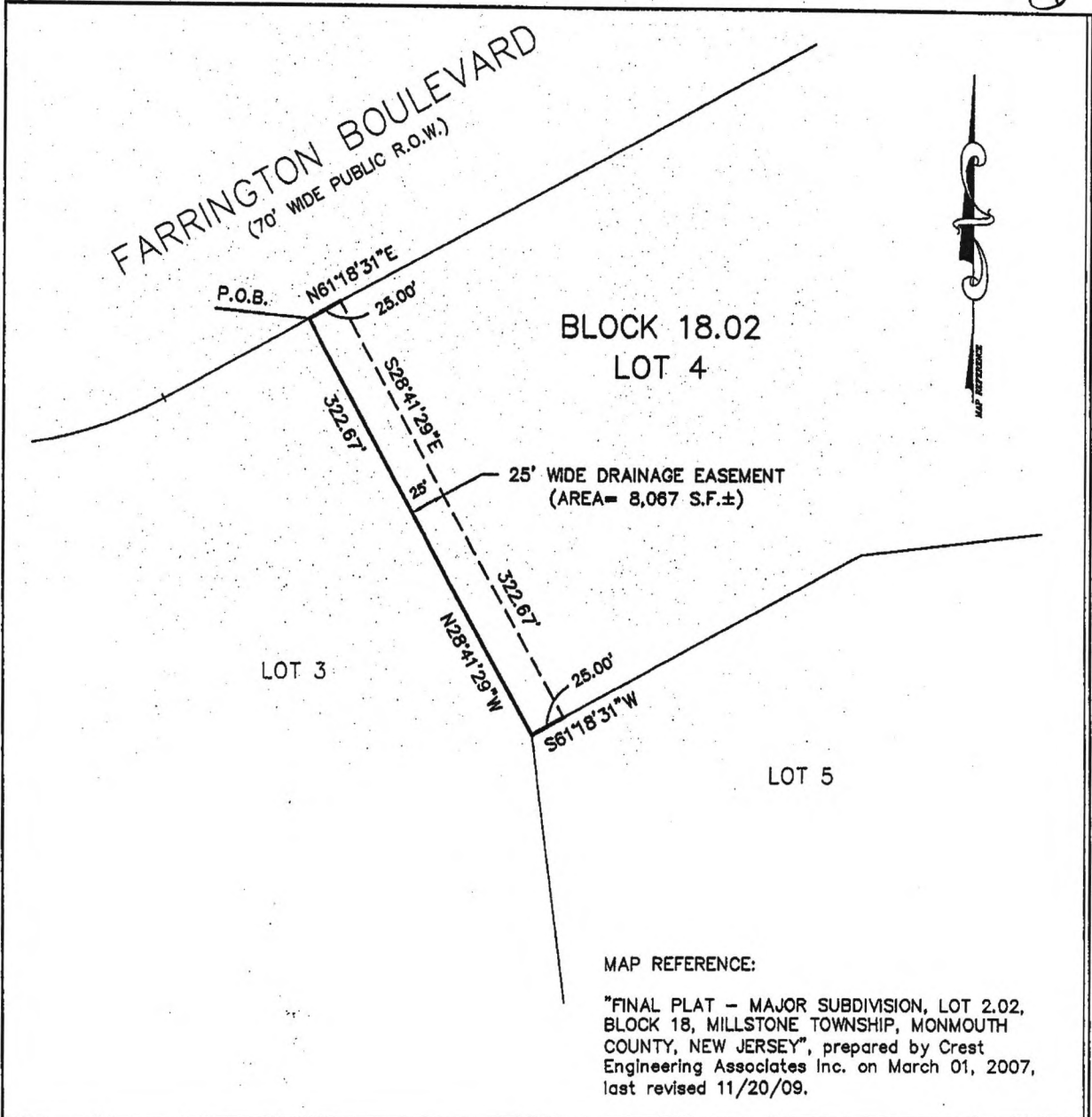
www.crestengineering.net

12 Robbins Parkway  
Toms River, NJ 08753  
Ph 732-244-0888 · Fax 732-244-0788  
cresttr@crestengineering.net

As Landmark Land Consultants, Englewood, Florida 941-475-5651

As HEDJ Engineering, Sarasota, Florida 941-955-9948





**CREST**  
Engineering Associates Inc.  
Civil & Environmental Engineers  
Professional Planners • Surveyors • Landscape Architects  
• CERTIFICATE OF AUTHORIZATION NO. 24GA27989300 •

100 RIKE DRIVE  
MILLSTONE TOWNSHIP, N.J. 08535  
PH (609) 448-3550

12 ROBBINS PKWY.  
AT WATER STREET  
TOWNSHIP, N.J. 08753  
PH (732) 244-0683

*Daniel P. Hundley*  
**DANIEL P. HUNDLEY**  
PROFESSIONAL LAND SURVEYOR N.J. LICENSE No. 33174

SKETCH OF  
25 FOOT WIDE DRAINAGE EASEMENT  
LOT 4  
BLOCK 18.02  
MILLSTONE TOWNSHIP  
MONMOUTH COUNTY, NEW JERSEY

DATE	11/20/09	DRAWN	AF	CHECKED	KAW
SCALE	1"=100'	FILE No.	N-3522	DWG. No.	ESMT-SKETCHES

Clerk's Office on May 25, 2010 in Book OR 8833, Page 5224 and Book OR 8833, Page 5215 respectively, and depicted on the attached Exhibits are hereby vacated.

BE IT FURTHER ORDAINED that the Township is hereby authorized to execute an Indemnity Agreement with Scannell Properties in a form to be reviewed and approved by the Township Attorney.

BE IT FURTHER ORDAINED that the Township Clerk is hereby authorized and directed to do the following:

1. Publish a copy of this Ordinance in an official newspaper of the municipality, together with a notice of the introduction thereof and the time and place when and where this Ordinance will further be considered for final passage, such publication to be at least 10 days prior to the time fixed for further consideration of this Ordinance for final passage.
2. Send, by certified mail, return receipt requested, a copy of this Ordinance, together with the notice of the introduction thereof, the time and place when and where this Ordinance will be considered for final passage, to Scannell Properties 434, LLC, 8801 River Crossing Boulevard, Suite 300, Indianapolis, IN 46240.
3. Publish in an official newspaper of this municipality notice of the passage of this Ordinance by title.
4. Within 60 days after this Ordinance becomes effective, file a copy of this Ordinance, certified by the Township Clerk to be a true copy, under the seal of the Township of Millstone, together with a copy of the proof of publication thereof, in the office of the County Clerk, to be recorded in a book entitled "Vacations".

## II

This Ordinance shall take effect upon adoption and publication according to law.

**EXPLANATORY STATEMENT:** This Ordinance vacates the Drainage Easements recorded in the Monmouth County Clerk's Office on May 25, 2010 in Book OR 8833, Page 5224 and Book OR 8833, Page 5215, since the Drainage Easements are no longer necessary in light of a new site plan approval with alternate stormwater management measures.