

CITY OF VINELAND

ORDINANCE NO. 2020-19

**ORDINANCE AUTHORIZING THE EXECUTION OF A SIGHT TRIANGLE EASEMENT BETWEEN THE CITY OF VINELAND AS GRANTOR AND COUNTY OF CUMBERLAND AS GRANTEE ON OR ACROSS CERTAIN CITY OWNED PROPERTY KNOWN AS BLOCK 1003 LOTS 14 AND 14.1**

**WHEREAS**, the City of Vineland is the owner of certain real estate known as Block 1003, Lots 14 and 14.1 on the tax map of the City of Vineland (Property) which is the subject of sale and development for industrial purposes to Rovagnati Specialty Meats Processing Plant (Rovagnati); and

**WHEREAS**, the Property affronts West Oak Road, County Route No. 681, a county controlled roadway; and

**WHEREAS**, Rovagnati has submitted a site plan for the development of the Property as an industrial use to the City of Vineland Planning Board and County of Cumberland Planning Board (County) and has requested approval of the same; and

**WHEREAS**, the site plan submitted shows the means of ingress and egress to the Property to be developed on West Oak Road; and

**WHEREAS**, the County Planning Board has approved the site plan subject to the creation of a site triangle across the Property to afford the maximum safety to traffic on the County road when traffic from the proposed industrial use enters upon and exits from the said West Oak Road driveway; and

**WHEREAS**, the sale of the Property to Rovagnati by the City will provide jobs and a tax ratable and City Council finds it to be in the best interest of the City to grant unto the County of Cumberland a site triangle easement as a requirement of County Planning Board approval.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Vineland that the Mayor and Clerk are hereby authorized to execute a site triangle easement as grantor to the County of Cumberland as grantee on or across the property known as Block 1003 Lots 14 and 14.1 in the form as attached hereto and made a part hereof.

**BE IT FURTHER ORDAINED** that the balance of Ordinance not amended hereby shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

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

Passed first reading:

Passed final reading:

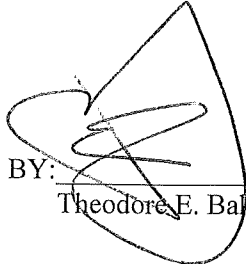
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President of Council

ATTEST:

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City Clerk

PREPARED BY:   
Theodore E. Baker, Esq.

**SIGHT TRIANGLE EASEMENT**

**THIS INDENTURE** made this \_\_\_\_ day of \_\_\_\_\_, 2020;

**BETWEEN:** **THE CITY OF VINELAND**, a municipal corporation of the State of New Jersey, whose address is 640 E. Wood Street, Vineland, NJ 08360, herein referred to as the **Grantor**.

**AND:**

**COUNTY OF CUMBERLAND**, a Municipal Corporation of the State of New Jersey, whose address is 164 West Broad Street, New Jersey 08302, referred to as the **Grantee**.

**WITNESSETH:** That the Grantor, for and in consideration of the sum of ONE (\$1.00) DOLLAR, lawful money of the United States of America to it in hand paid by the Grantee, at and before the sealing and delivering therefrom, and in further consideration of the benefits and advantages which will inure to the premises of the Grantor, has granted, bargained, sold, remised, released, conveyed, aligned, enfeoffed, warranted, and confirmed all its right, title, and interest in the following described lands and premises, to the Grantee, its successors and assigns forever, the full perpetual right and liberty to said land for the purpose of establishing a sight triangle easement for measuring at AASHTO specifications at the proposed driveway on Oak Road for improved safety on a County road, which said parcel and strip of land is more particularly described as follows:

**SEE EXHIBIT "A" and EXHIBIT "B" ATTACHED HERETO**, being Sight Triangle Easements as shown on the plans prepared by Guy M. DeFabrites, PLS dated February 12, 2020.

**BEING** an easement over a part of Lots 14 and 14.1 of Block 1003, as shown on the City of Vineland Tax Assessment Map.

**IN ORDER** to afford maximum safety to traffic on a County road, clear sign areas shall be established on a site plan subject to County approval. The above described area is that part of a clear sight triangle area so established which is located within the boundaries of the said grantor's land. Within this sight triangle area, the Owner will not construct, reconstruct, move, permit to grow or maintain any structure, object or plant material that would obstruct a driver's vision between two (2) and ten (10) feet above the grade of the abutting streets, except where existing trees covered by regulations of Municipal Shade Tree Commissions or existing buildings are involved. The County shall have the right to compel the owner to remove any obstruction to vision within the sight triangle not conforming to the standards controlling the area as mentioned above, upon proper and sufficient notice to the property owner.

**TO HAVE AND TO HOLD** all and singular the said land hereinabove described, hereditaments, and land hereby granted, or mentioned and intended to be, together with the appurtenances, to the said Grantee, its successors, and assigns, to and for its use for the purposes herein expressed.

**IN WITNESS WHEREOF**, the Grantor has hereunto set its hand and seal the day and year above written:

*ATTEST/WITNESS:*

The City of Vineland, a municipal corporation  
Of the State of New Jersey

\_\_\_\_\_  
Keith Petrosky, RMC

By: \_\_\_\_\_  
Anthony Fanucci, Mayor



**CONSULTING ENGINEERS • PLANNERS  
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629 Shiloh Pike • Bridgeton • New Jersey • 08302  
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www.fralinger.com

Albert A. Fralinger, Jr., PE, PLS & PP  
J. Michael Fralinger, Sr. (1957-2009)  
Charles M. Fralinger, PLS  
Carl R. Gaskill, PE, PLS, PP & CME  
Stephen J. Nardelli, PE, PP, CME & CPWM  
Barry S. Jones, PLS & PP  
Guy M. DeFabrites, PLS & PP  
Stephen P. McKeich, PLS  
William J. Olbrich, PLS  
Matthew Baldino, PE, CME  
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Civil Engineering  
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Traffic Impact Studies  
NJDOT Permitting  
Phase I Environmental Studies  
Permeability Testing  
Septic System Design  
Wetlands Delineation  
Global Positioning Surveying (GPS)  
Geographic Information Systems (GIS)  
Planning/Zoning Board Representation  
3D Laser Scanning

**SITE TRIANGLE EASEMENT DESCRIPTION  
WEST OAK ROAD  
AND  
EAST DRIVEWAY OF BLOCK 1003, LOT 14 and 14.1  
V-27-19B  
February 12, 2020**

ALL that certain part and parcel of land situate, lying, and being in the City of Vineland, County of Cumberland, State of New Jersey and being more particularly described as follows:

BEGINNING at a point for a corner in West Oak Road (County Route No. 681, width varies); said point being 5.30 feet south of the centerline of said West Oak Road and in the existing traveled way of the east driveway over said Block 1003, Lots 14 and 14.1 as shown on the Site Plan prepared by Adams, Rehmann and Heggan, dated September 16, 2019; thence

(1) along the eastbound land of said West Oak Road, North 86° 06' 02" West, 845.00 feet, to a point for a corner; thence

(2) crossing over said West Oak Road and over the lands of the grantor, South 88° 53' 55" East, 846.01 feet, to a point for a corner in the said east driveway of Block 1003, Lots 14 and 14.1; thence

(3) still over same, South 84° 08' 06" East, 845.50 feet, to a point for a corner in the westbound land of said West Oak Road; said point being 7 feet north of the centerline of said West Oak Road; thence

(4) along said westbound land, North 86° 06' 02" West, 845.00 feet, to a point for a corner; thence

(5) South 03° 53' 58" West, 12.30 feet, to the Place of Beginning.  
CONTAINING 0.68 of an acre of land to be the same, more or less.  
BEING known as a Sight Triangle Easement over Part of Lots 14 and 14.1 of Block 1003,  
as shown on the City of Vineland Tax Assessment Map.



Guy M. DeFabrites  
Professional Land Surveyor  
New Jersey License No. 34843  
Date: February 12, 2020  
Comm. No.: 30017.01



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