

**DEED OF PROPOSED TEMPORARY CONSTRUCTION EASEMENT,
PERMANENT ACCESS EASEMENT AND PERMANENT SANITARY AND
STORM SEWER EASEMENT AGREEMENT**

This Deed of Temporary Construction Easement and Permanent Easement Agreement made effective as of February 25th 2025 BY AND BETWEEN ANITA THANI owner of 737 Northfield Avenue, Township of West Orange, County of Essex and State of New Jersey, hereinafter referred to as "GRANTOR," and THE TOWNSHIP OF WEST ORANGE, a municipal corporation of the State of New Jersey, having offices located at 66 Main Street, in the Township of West Orange, County of Essex, and State of New Jersey, hereinafter referred to as the "GRANTEE" or the "TOWNSHIP."

WITNESSETH

WHEREAS, the Grantor is the sole owner of Tax Block 166, Block 14.01 on the official Tax Map of the Township of West Orange, County of Essex, State and New Jersey, also known as 737 Northfield Avenue, West Orange, New Jersey (hereinafter the "PREMISES"), and

WHEREAS, the GRANTEE has determined that sanitary and stormwater piping extends across a portion of the Grantor's property; and

WHEREAS, GRANTEE desires to obtain an easement on Grantor's property to permit the Sanitary Sewer and/or Stormwater piping beneath the premises on Grantor's property for the benefit of the general public and

WHEREAS, the GRANTOR is willing to grant to the GRANTEE and the GRANTEE is willing to accept a temporary construction, and permanent access easement and permanent sanitary and storm sewer easement over a portion of said premises that is to be an unobstructed permanent easement in order to construct, lay, maintain, operate, repair, alter, protect, replace and access sanitary and/or stormwater piping related thereto on the PREMISES; and

WHEREAS, the temporary construction easement and permanent access easement and permanent sanitary and storm sewer easement are shown on a plan entitled "EXISTING CONDITIONS SURVEY" prepared by Greenman-Pedersen Inc. (GPI) dated February 18, 2025 ("Exhibit A") and set out in a Legal Description prepared by dated Greenman-Pedersen Inc. (GPI) dated February 18, 2025 ("Exhibit B"); and

Said Temporary and Permanent Easement shall include the right to mobilize, use the area for staging during construction, access, excavate, reconstruct sanitary and/or stormwater piping improvements including compaction, grade, backfill, topsoil and seed for the purposes of stabilizing disturbed areas, preventing erosion and restoring GRANTOR's property to its condition; and

NOW, THEREFORE, in consideration of the benefits to accrue both community wide and to the GRANTEE, and for the general health, benefit and welfare of the community and otherwise, in further consideration of the covenants contained herein, in addition to One (\$1.00) Dollar and other good and valuable consideration, GRANTOR hereby gives and grants and conveys to the GRANTEE, its successors and assigns.

The GRANTOR hereby covenants with the GRANTEE that:

- a. The GRANTOR has good and lawful right to convey the temporary construction easement, permanent access easement and permanent sanitary and storm sewer easement reference herein.
- b. The temporary construction easement, permanent access easement and permanent sanitary and storm sewer easement reference herein are for the sole use of GRANTEE; Grantee's heirs, successors and assignees, and their invitees;
- c. The temporary and permanent easements are free and clear from encumbrances of record that might interfere with the scope of work reference herein.
- d. The GRANTEE has a sanitary and/or stormwater sewer lines that extends across a portion of the GRANTOR'S property;
- e. GRANTEE will provide GRANTOR at least 48 hours' notice prior to any work to maintain, repair and replace their sanitary and/or stormwater sewer facilities in, adjacent to, over or under the easement or any part thereof to be conducted in or on the easement unless such work is conducted on an emergency basis;
- f. GRANTOR does hereby expressly permit right of entry to the GRANTEE for the purposes of accessing the sanitary and/or stormwater is intended to be uninterrupted and unobstructed right of entry easement, under, across and over the area in "Exhibit A" and described in "Exhibit B" consisting of the right to erect, construct, install, use, impact, repair, remove, maintain, and preserve its sanitary and/or stormwater facilities;
- g. The Township of West Orange shall have quiet possession of the sanitary and/or stormwater sewer easement free from all encumbrances;
- h. GRANTOR, its successors and/or assigns shall hold harmless GRANTEE, its successors and/or assigns from and against any and all claim, liabilities, penalties, costs or other damages, whether foreseen and unforeseen, arising directly from the temporary and permanent easements reference herein.
- i. GRANTOR agrees that if any disturbance or damage is caused to the subject property as a result of the GRANTEE'S exercise of the rights and privileges afforded to it under this instrument, the GRANTEE shall restore the affected area as near as practicable to its original condition.

IN WITNESS WHEREOF, the parties have hereunder affixed their hands and seals
the day and year first above written.

ANITA THANI

ATTESTED

TOWNSHIP OF WEST ORANGE

Karen Carnevale, Township Clerk

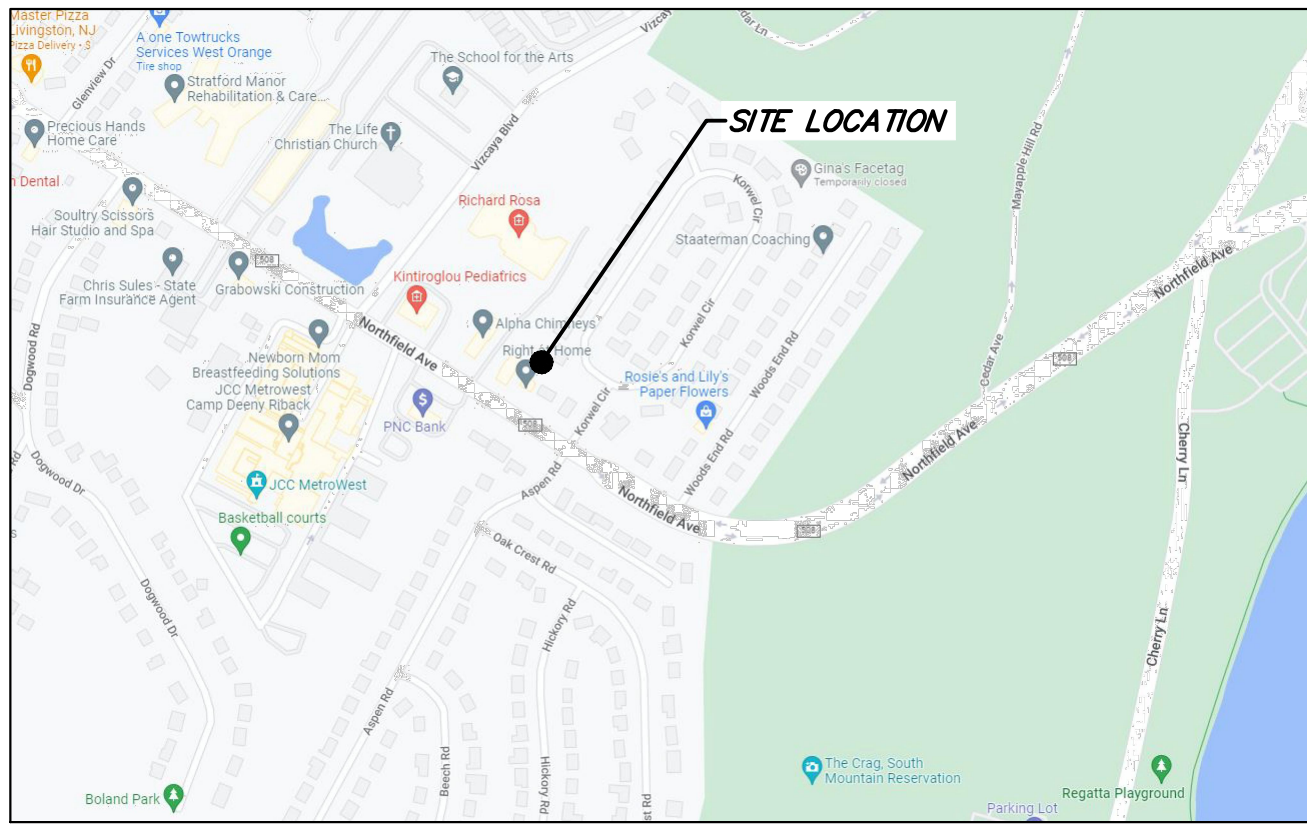
_____(seal)
by: Susan McCartney, Mayor

STATE OF NEW JERSEY
COUNTY OF ESSEX ss:

I CERTIFY that on February ____, 2025

Anita Thani personally came before me and stated to my satisfaction that each person
executed this instrument as his own act.

EXHIBIT A



SITE LOCATION
NOT TO SCALE

SURVEY NOTES:

1. THE WORD CERTIFY, AS USED HEREON, IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF. AS SUCH, IT CONSTITUTES NEITHER A GUARANTEE NOR A WARRANTY, EXPRESSED OR IMPLIED.
2. THIS SURVEY IS SUBJECT TO EASEMENTS OF RECORD AND ANY OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.
3. IF DIGITAL INFORMATION IS ALSO SUPPLIED, IT IS DONE SO FOR INFORMATIONAL PURPOSES, ONLY. THE ORIGINAL SIGNED AND SEALED DOCUMENT IS THE DOCUMENT OF RECORD.
4. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH REQUIREMENTS AS OUTLINED IN N.J.A.C. 13:40-5.1(d).
5. IF THIS SURVEY DOES NOT CONTAIN THE RAISED SEAL OF THE SURVEYOR, IT IS AN UNAUTHORIZED REPRODUCTION OF THE SURVEY.
6. HORIZONTAL DATUM IS BASED UPON NJSPCS NAD'83 (2011).
7. VERTICAL DATUM IS BASED UPON NAVD'88 (GEOID 18).
8. DISTANCE MEASUREMENTS ARE EXPRESSED IN U.S. SURVEY FEET.
9. UTILITY LOCATIONS SHOWN HEREON ARE FROM ABOVE GROUND OBSERVATIONS ONLY. THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL-INCLUSIVE. THE USER OF THIS SURVEY IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATIONS AS TO THE TYPE AND LOCATIONS OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY.
10. THE EXISTENCE OF WETLANDS AFFECTING THIS SITE HAS NOT BEEN ADDRESSED UNDER THIS CONTRACT.
11. LOT AND BLOCK NUMBERS SHOWN HEREON ARE BASED UPON THE CURRENT TAX MAP OF THE TOWNSHIP OF WEST ORANGE, SHEET No. 101.
12. THE NEW JERSEY BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS PROHIBITS ENGINEERING OR SURVEYING DOCUMENTS PREPARED BY ONE LICENSEE FROM BEING ALTERED, AMENDED, EXPANDED, FINALIZED OR OTHERWISE ADJUSTED BY ANOTHER LICENSEE WHO WAS NOT IN RESPONSIBLE CHARGE OF THE INITIAL WORK PRODUCT. THE ONLY EXCEPTION TO THE PROHIBITION IS THE USE OF PLANS PREPARED BY OTHERS FOR AS-BUILT PURPOSES WHERE THE NATURE OF THE AS-BUILT ALLOWS THE AS-BUILT DATA TO BE ADDED TO THE PREVIOUSLY PREPARED PLAN WHERE THERE IS, THEREFORE, NO NEED TO ADJUST OR CHANGE THE UNDERLYING DESIGN DOCUMENT.
13. BOUNDARY INFORMATION PER REFERENCE #1.

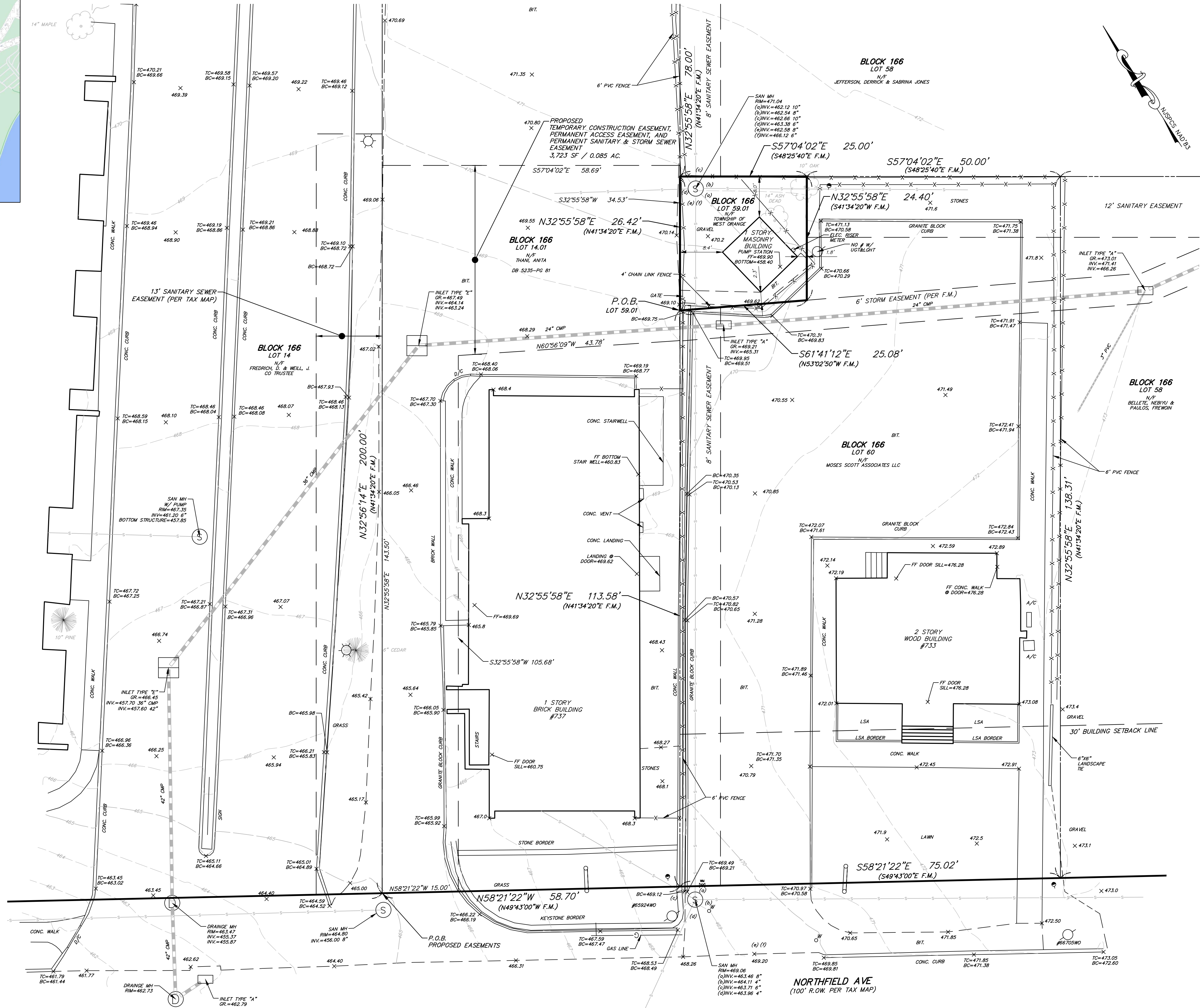
SURVEY REFERENCES:

1. MAP TITLED "KORVEL PUMP STATION ABANDONMENT AND NEW GRAVITY SEWER MAIN, TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY, JANUARY, 2009," PREPARED BY PMK GROUP, DATED 01/22/2009.
2. MAP TITLED "MAP OF PROPERTY OF WEST ORANGE MANOR, WEST ORANGE, NJ, KORVEL REALTY CO. OWNER," FILED ON 02/26/55 IN ESSEX COUNTY AS MAP #2082.
3. MAP TITLED "MAP OF PROPERTY OF WEST ORANGE MANOR, WEST ORANGE, NJ, KORVEL REALTY CO. OWNER," FILED ON 06/24/54 IN ESSEX COUNTY AS MAP #2026.

LEGEND:

RIGHT OF WAY LINE	---
PROPERTY LINE	---
LOT LINE	---
EASEMENT LINE	---
SETBACK LINE	---
BUILDING LINE	---
EDGE OF PAVEMENT	---
EDGE OF GRAVEL	---
FENCE LINE	X X X
CONTOUR MAJOR	-180-
CONTOUR MINOR	-183-
UNDERGROUND GAS	G
UNDERGROUND SANITARY	S
OVERHEAD WIRE	OH
UNDERGROUND DRAINAGE	---

① DRAINAGE MANHOLE	⊙ WATER METER
⊙ DRAINAGE INLET	⊙ WATER VALVE
□ DRAINAGE "A" INLET	⊙ UTILITY POLE
□ DRAINAGE "E" INLET	• GUY WIRE ANCHOR
⊙ SANITARY MANHOLE	— SIGN
⊙ CLEAN OUT	□ MONUMENT FOUND/SET
⊙ CONIFEROUS TREE	• PIN/PIPE FOUND
⊙ DECIDUOUS TREE	



GPI Engineering
Design
Construction Management
973.377.8500 GPINET.COM
Greenman-Pedersen, Inc.
301 Gibraltar Drive, Suite 2A
Morris Plains, NJ 07950
Certificates of Authorization #24GA27959500
#21MH00012700

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7
6
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4
3
2 REV. PROP. EASEMENTS 02/18/2025
1 REV. PROP. EASEMENTS 02/14/2025
REVISIONS

CLIENT: TOWNSHIP OF WEST ORANGE ENGINEERING DEPARTMENT
PROJECT: KORVEL PUMP STATION
BLOCK 166, LOT 59.01
TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY
DRAWING TITLE: EXISTING CONDITIONS SURVEY

KEVIN S. BOGERMAN
Professional Land Surveyor
License #41379

SCALE: 1" = 10'
DRAWN BY: JFG
CHECKED BY: FJH
DATE: 12/13/2022
DRAWING NUMBER:
SV-01
SHEET NUMBER: 1 OF 1
PROJECT NO: 2200066
PHASE:

EXHIBIT B

Project No. 2200066.00

February 18, 2025

Description of Property
Township of West Orange
Essex County, New Jersey

**DESCRIPTION OF
TEMPORARY CONSTRUCTION EASEMENT,
PERMANENT ACCESS EASEMENT, AND
PERMANENT SANITARY & STORM SEWER EASEMENT
BLOCK 166 LOT 14.01, 737 NORTHFIELD AVENUE
N/F THANI, ANITA
DEED BOOK 5235, PAGE 81**

Temporary Construction Easement, Permanent Access Easement, and Permanent Sanitary & Storm Sewer Easement

ALL THAT CERTAIN LANDS AND PREMISES, SITUATE, LYING AND BEING IN THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, AND STATE OF NEW JERSEY AND PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point in the northerly Right of Way line of Northfield Avenue (100 feet wide per tax map), at the point of intersection with the westerly sideline of Lot 14.01 in Block 166, having New Jersey State Plane Coordinate System NAD 1983(2011) values of North: 704,690.20 feet, East: 549,118.65 feet, in said coordinate system from said point of beginning running; thence

- 1.) Leaving the said northerly Right of Way line, North 32°55'28" East, along the said westerly sideline of Lot 14.01 in Block 166, a distance of 143.50 feet to a point; thence
- 2.) Leaving the said westerly sideline, South 57°04'02" East, on a new line through said Lot 14.01, a distance of 58.69 feet to a point on the easterly sideline of said Lot 14.01; thence
- 3.) Along the said easterly sideline of Lot 14.01, South 32°55'58" West, a distance of 34.53 feet to a point; thence
- 4.) Leaving the said easterly sideline, North 60°56'09" West, on a new line through said Lot 14.01, a distance of 43.78 feet to a point; thence
- 5.) On a new line through Lot 14.01, South 32°55'58" West, a distance of 105.68 feet to the said northerly Right of Way line of Northfield Avenue; thence
- 6.) Along the said northerly Right of Way line, North 58°21'22" West, a distance of 15.00 feet to the point or place of **BEGINNING**.

The above description encompasses an area of 3,723 square feet or 0.085 acres, more or less.

SUBJECT TO all existing easements and restrictions of record.

The above described in accordance with map entitled "Township of West Orange Engineering Department, Korwel Pump Station, Block 166, Lot 59.01, Township of West Orange, Essex County, New Jersey, Existing Conditions Survey, drawing SV-01," prepared by GPI, dated 12/13/2022, last revised 02/18/2025.



Kevin S. Bogerman P.L.S.

Professional Land Surveyor License No. 41379