

**TOWNSHIP OF MAURICE RIVER**

**ORDINANCE NO. 654**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ENCROACHMENT AGREEMENT WITH BEATRICE M. DUPNOCK  
CONCERNING A CERTAIN ENCROACHMENT OF A ONE-STORY  
RESIDENTIAL STRUCTURE ONTO THE RIGHT-OF-WAY OF THE  
PUBLIC ROADWAY KNOWN AS TWIN OAK ROAD IN MAURICE RIVER  
TOWNSHIP**

**WHEREAS**, property owned by Beatrice M. Dupnock and known as 7 Twin Oak Road in the Township of Maurice River, County of Cumberland and State of New Jersey and being known as Block 277, Lot 3 on the Tax Map of Maurice River Township which has been utilized for at least 45 years as a single-family dwelling; and

**WHEREAS**, based upon the survey of the property, it has been discovered that the existing one-story residential structure owned by Beatrice M. Dupnock and situated on said premises encroaches into a portion of the right-of-way of Twin Oak Road and the onsite well is located within the right-of-way of Twin Oak Road; and

**WHEREAS**, said encroachment is limited to the southwest portion of the home at a maximum of 4.47 feet and the onsite well is located approximately 22 feet from the cartway of Twin Oak Road, said cartway having a gravel surface and the property owner desires to maintain the single-family home in its present position and seeks to maintain the onsite well in its present position and seeks permission of the Township to continue the existing encroachments; and

**WHEREAS**, the Township Committee of the Township of Maurice River, County of Cumberland, State of New Jersey, has determined that it is within the public interest to execute an Encroachment Agreement with Beatrice M. Dupnock, relating to the encroachment limited to the southwest portion of the single-family home and the onsite well located at 7 Twin Oak Road, Township of Maurice River, County of Cumberland and State of New Jersey.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Committee of the Township of Maurice River, County of Cumberland, State of New Jersey as follows:

1. The Township of Maurice River agrees to permit the encroachments as they currently exist and that said encroachments shall run with the land.
2. The existing encroachments shall not be enlarged or expanded or altered without written approval from Maurice River Township and in the event the single-family structure is removed or destroyed beyond repair, the Encroachment Agreement shall terminate.
3. The Mayor and Clerk are hereby authorized and directed to execute an Encroachment Agreement and any other documents necessary to satisfy the

intent of this Ordinance. Said Encroachment Agreement may be recorded with the Clerk of Cumberland County at the expense of the owner.

4. The property owner shall pay a fee of \$500.00 for the Encroachment Agreement which shall defray cost to the Township.


**BE IT FURTHER ORDAINED AND ENACTED** by the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey that this Ordinance shall take effect immediately upon the adoption and publication of notice of adoption as prescribed by law.

ATTEST:

  
Denise Peterson, Clerk

  
ANDREW SARCLETTE, Mayor

  
Patricia Gross, Deputy Mayor

  
I. Roy Oliver, Committee Person

First Reading: November 17, 2016

Publication: November 22, 2016

Public Hearing: December 13, 2016

Adoption: December 13, 2016

Publication of

Notice of Adoption: December 16, 2016