ORDINANCE NO. 1807-26

TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN,

STATE OF NEW JERSEY

AN ORDINANCE ACCEPTING A DEED OF DEDICATION FROM ROSOL PROPERTY LLC FOR THE DEDICATION OF A RIGHT-OF-WAY ACROSS A PORTION OF TAX LOT 1 IN BLOCK 1717 IN THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND AUTHORIZING ALL ACTIONS NECESSARY TO EFFECTUATE THE ACCEPTANCE, EXECUTION, DELIVERY, AND RECORDING THEREOF

BE IT ORDAINED by the Township Council of the Township of Saddle Brook, in the County of Bergen, State of New Jersey, as follows:

Section 1. Recitals.

WHEREAS, Rosol Property LLC, a New Jersey limited liability company, with an address at 20 Commerce Drive, Ste. 115, Cranford, New Jersey 07016 ("Dedicator"), is the owner of certain real property located in the Township of Saddle Brook, County of Bergen, State of New Jersey, designated on the official Tax Map of the Township of Saddle Brook as Tax Lot 1 in Block 1717, and commonly known as 4 Rosal Lane, (a.k.a. Rosol Lane) Saddle Brook, New Jersey 07663 (the "Property"); and

WHEREAS, Dedicator has offered to dedicate to the Township of Saddle Brook, a municipal corporation of the State of New Jersey ("Township"), for public right-of-way purposes, a certain portion of the Property consisting of approximately 9,385 square feet, being 50 feet in width by 381.44 feet in length, more or less, and more particularly described by the metes and bounds description attached as Exhibit A and survey attached as Exhibit B prepared by DPK Consulting LLC, dated February 25, 2025, last revised

September 11, 2026 (the “Dedicated Area”) and attached to the proposed deed of dedication; and

WHEREAS, the Dedicated Area is intended to be dedicated, conveyed, and accepted as a public right-of-way for roadway, access, ingress and egress, pedestrian, drainage, utility, maintenance, and other lawful public right-of-way purposes, subject to the terms and conditions of the deed of dedication and the approvals of the Township Engineer, Township Attorney, and other appropriate Township officials; and

WHEREAS, the proposed deed of dedication from Dedicator to the Township, together with the legal description, survey, metes-and-bounds description, title materials, and related instruments, has been or will be reviewed by the Township Attorney, Township Engineer, Township Administrator, Township Clerk, and such other Township officials and professionals as may be appropriate; and

WHEREAS, the Township Council has determined that acceptance of the Dedicated Area is in the public interest and will serve a valid public purpose by providing or preserving a right-of-way within the Township; and

WHEREAS, the Township is authorized to acquire interests in real property, including by dedication, gift, grant, or conveyance, and to accept and regulate streets, rights-of-way, and public improvements in accordance with applicable New Jersey law; and

WHEREAS, the Township Council desires to accept the deed of dedication and to authorize the Mayor, Township Clerk, Township Administrator, Township Attorney, Township Engineer, and all other appropriate Township officials to take such actions as are necessary or desirable to consummate the dedication, acceptance, delivery, and recording of the deed and related documents.

Section 2. Acceptance of Deed of Dedication.

The Township hereby accepts, subject to the conditions set forth in this Ordinance, the deed of dedication from Rosol Property LLC to the Township dedicating to the Township the Dedicated Area across a portion of Tax Lot 1 in Block 1717, as more particularly described in the metes-and-bounds description attached or to be attached to the deed as Exhibit A and as depicted on the survey, plan, or right-of-way exhibit attached or to be attached as Exhibit B.

Section 3. Description of Dedicated Area.

The Dedicated Area accepted by this Ordinance shall consist of that portion of Tax Lot 1 in Block 1717 described as set forth in the metes and bounds description attached as Exhibit A.

The foregoing description shall be conformed, if necessary, to the final description approved by the Township Engineer and Township Attorney before recording, provided that any such conforming changes do not materially enlarge the Township's obligations or materially alter the public purpose of the dedication authorized by this Ordinance.

Section 4. Public Purpose and Use.

The Dedicated Area is accepted for use as a public right-of-way and for all lawful public purposes incidental or related thereto, including, without limitation, roadway, access, ingress and egress, pedestrian, sidewalk, curb, drainage, grading, utility, maintenance, repair, replacement, reconstruction, and public safety purposes, together with all rights and privileges reasonably necessary or appropriate for the Township's ownership, control, operation, maintenance, and regulation of the Dedicated Area as a public right-of-way.

Section 5. Authorization of Township Officials.

The Mayor, Township Clerk, Township Administrator, Township Attorney, Township Engineer, Chief Financial Officer, and all other appropriate officers, employees, professionals, and agents of the Township are hereby authorized and directed to take all actions necessary or desirable to effectuate the purposes of this Ordinance, including, without limitation:

1. Reviewing, approving, finalizing, executing, attesting, acknowledging, accepting, and delivering the deed of dedication and any related affidavits, certifications, forms, statements of consideration, recording instruments, closing documents, or ancillary instruments;
2. Causing the deed of dedication and all necessary related documents to be recorded in the Office of the Bergen County Clerk or such other recording office as may be legally required;
3. Accepting delivery of the original deed of dedication and any related title, survey, engineering, or closing materials;
4. Making such non-material revisions to the deed of dedication, exhibits, legal description, survey references, recording information, and related documents as may be approved by the Township Attorney and Township Engineer and as are consistent with this Ordinance;
5. Coordinating with Dedicator, Dedicator's counsel, title company, surveyor, engineer, and any governmental agency having jurisdiction over the Dedicated Area; and
6. Taking all ministerial, administrative, engineering, legal, and recording actions required to consummate the dedication and acceptance authorized by this Ordinance.

Section 6. Conditions of Acceptance.

The Township's acceptance of the deed of dedication is subject to satisfaction or waiver by the Township of the following conditions:

1. The deed of dedication shall be in a form acceptable to the Township Attorney and shall contain a legal description and exhibits acceptable to the Township Engineer;
2. Dedicator shall execute, acknowledge, and deliver the deed of dedication and all related instruments required for recording;
3. The Dedicated Area shall be conveyed free and clear of all liens, encumbrances, restrictions, exceptions, tenancies, claims, and title defects that are unacceptable to the Township Attorney, except for such matters as the Township Attorney determines are permitted exceptions that do not impair the public right-of-way purposes accepted by this Ordinance;
4. Dedicator shall provide such title evidence, corporate authority documents, affidavits of title, survey materials, metes-and-bounds descriptions, plans, consents, releases, and other documentation as the Township Attorney or Township Engineer may reasonably require;
5. Any mortgagee, lienholder, easement holder, or other party whose interest may affect the Dedicated Area shall provide such consent, subordination, release, or joinder as the Township Attorney may reasonably require;
6. The final dimensions, bearings, courses, distances, and area of the Dedicated Area shall be confirmed by a survey, plan, or legal description acceptable to the Township Engineer;
7. Dedicator shall be responsible for the payment of recording costs, transfer fees, title costs, survey costs, engineering escrow or other costs, unless otherwise approved in writing by the Township;
8. The acceptance authorized by this Ordinance shall not constitute acceptance of any private improvement, utility facility, drainage facility, sidewalk, curb, pavement, grading, landscaping, lighting, or other improvement unless such improvement is expressly accepted by

separate action of the Township or is expressly included in the deed of dedication as approved by the Township;

9. The dedication shall comply with all conditions imposed by any applicable land use approval, developer's agreement, resolution, ordinance, permit, or governmental approval relating to the Property or the Dedicated Area; and
10. Any additional conditions required by the Township Attorney, Township Engineer, Township Administrator, or Township Council that are consistent with the purposes of this Ordinance shall be satisfied before recording, unless waived by the Township in writing.

Section 7. Recording and Custody of Documents.

Upon satisfaction or waiver of the conditions set forth in this Ordinance, the Township Clerk, Township Attorney, or their designee is authorized to cause the deed of dedication and all related recording documents to be recorded with the Bergen County Clerk. Following recording, the recorded deed shall be returned to:

Township Clerk
Township of Saddle Brook
55 Mayhill Street
Saddle Brook, New Jersey 07663

The recording information shall be inserted in the Township's records upon receipt, including the following:

Recording Office:
Recording Date:
Instrument Number:
Book and Page:

Map or Plan Reference:
Prepared By:
Reviewed By:

Section 8. No Assumption of Unstated Obligations.

Nothing in this Ordinance shall be construed to require the Township to construct, reconstruct, improve, repair, maintain, or accept any improvement, facility, or condition within or adjacent to the Dedicated Area except to the extent expressly required by applicable law or expressly accepted by the Township in a written instrument or formal municipal action. The Township reserves all governmental, police-power, land-use, regulatory, permitting, inspection, enforcement, and public works authority with respect to the Property, the Dedicated Area, and all adjoining lands.

Section 9. Further Assurances.

Dedicator shall execute and deliver such further documents and instruments, and shall take such further actions, as the Township Attorney or Township Engineer may reasonably determine are necessary or appropriate to confirm, evidence, perfect, record, or implement the dedication and acceptance authorized by this Ordinance, including corrective deeds, confirmatory instruments, revised exhibits, releases, subordinations, title affidavits, and certifications of authority.

Section 10. Repealer.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 11. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is adjudged invalid, unlawful, or unenforceable by a court of competent jurisdiction, such adjudication shall be confined in its operation

to the section, subsection, sentence, clause, phrase, or provision directly involved in the controversy in which such adjudication shall have been rendered and shall not affect or impair the validity of the remainder of this Ordinance, which shall remain in full force and effect.

Section 12. Effective Date.

This Ordinance shall take effect upon final passage and publication as required by law.

Section 13. Municipal Action.

Introduced:
Public Hearing:
Adopted:
Effective Date:

ATTEST:

Frank Barrale, Township Clerk

APPROVED:

Robert D. White
Mayor

APPROVED AS TO FORM:

John L. Schettino, Esq.
Township Attorney

CERTIFICATION

I, FRANK BARRALE, Township Clerk of the Township of Saddle Brook, County of Bergen, State of New Jersey, do hereby certify that the foregoing is a true copy of an Ordinance introduced by the Township Council at a meeting held on November 12, 2026, and finally adopted after public hearing at a meeting held on _____.

Frank Barrale
Township Clerk

Dated: