



Approved as to Form and Legality

Date Adopted

Committee  
Economic Development/  
Public Works

\_\_\_\_\_

March 23, 2018

**RESOLUTION APPROVING "RAILWAY RIGHT OF WAY AND CONSTRUCTION AND ACCESS AGREEMENT"**

**WHEREAS**, the County, as Grantee, has determined the public interest and welfare requires 83 Griffith Street, LLC, as Grantor, to provide an easement for additional railway right of way to the County's railway ownership interest, and the Grantor is willing to allow non-exclusive access to Grantor's Property to undertake the construction of both railway and riparian bulkhead improvements; and

**WHEREAS**, Grantor owns property which is known and identified as Block 3, Lots 23 and 26 and the contiguous Block 4, Lot 1 on the Official Tax Map ("Tax Map") of the City of Salem ( collectively the "Property"); and

**WHEREAS**, in order for the County to undertake (i) the construction of new additional railway improvements, (ii) the renovation of existing railway and (iii) the construction of improvements to the riparian bulkhead contiguous to the railway, in accordance with the attached Location Maps, attached as Exhibit A, a metes and bounds Legal Description of the easement area, attached as Exhibit B, and Exhibit C, Sheets 2 and 3 of the Tax Map, the County requires access to and a way across Grantor's land; and

**WHEREAS**, Grantor desires to assist and facilitate the proposed construction by providing access and additional right of way and a construction easement to the County,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Salem, a quorum of the Board being in attendance at the lawful periodic meeting of the Board this day, that (i) the attached "Railway Right of Way and Construction and Access Agreement", with Exhibits A, B and C, incorporated therein, is approved; and (ii) the Director of the Board is authorized to sign same in execution of same according to law.

Charles V. Hassler  
Chair, Public Works Committee

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem on March 23, 2018.

Stacy I. Pennington  
Deputy Clerk of the Board

**RECORD OF VOTE**

FREEHOLDER	AYE	NAY	N.V.	ABSENT	RES.	SEC.		FREEHOLDER	AYE	NAY	N.V.	ABSENT	RES.	SEC.
S. Griscom	✓					✓		M. DeCastro	✓					
B. Laury	✓							L. Ware	✓					
								C. Hassler	✓				✓	

X – Indicates Vote

N.V. – Not Voting

Res. – Resolution Moved

Sec. – Resolution Seconded

Department, Initials