

**RESOLUTION 22-29 - AUTHORIZES AN UTILITY EASEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE LOWER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (LTMUA) AT THE CAPE MAY FERRY.**

WHEREAS, the Delaware River and Bay Authority (the “Authority”), is the operator of the Cape May Lewes Ferry (the “Ferry”), Cape May, New Jersey; and

WHEREAS, Lower Cape May Regional High School (“LCMR HS”) is in need of a connection to the LTMUA’s public water service. LCMR HS is currently served by two private wells, one of which has failed and the second is failing and there is currently no existing backup water service available. LCMR HS has passed an emergency resolution to authorize the connection to public water service; and

WHEREAS; LTMUA has passed an emergency resolution that authorizes a \$2.5 million expenditure to construct an extension to provide LCMR HS with public water service; and

WHEREAS, LTMUA desires an easement from the Authority to run parallel to the Cape May Ferry approach road for a portion of the extended water service; and

WHEREAS, the easement will be 15’ wide. A final survey, metes and bounds and legal description will be provided; and

WHEREAS, the granting of said easement shall not interfere with or be detrimental to the future use of the property; and

WHEREAS, the Authority desires to enter into an easement with the LTMUA to formalize the parties’ rights and obligations with respect to the LTMUA’s easement through the Authority’s property; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to finalize the terms and conditions of the Easement Agreement with the Lower Township Municipal Utilities Authority, with the advice and consent of counsel, to have such agreement executed by the Chairperson, Vice Chairperson and the Executive Director.

## **Resolution 22-29 Executive Summary**

**Resolution:** Authorizing the Execution of an Easement Agreement between the Delaware River and Bay Authority and the Lower Township Municipal Utility Authority (LTMUA).

**Committee:** Projects

**Committee Date:** June 22, 2022

**Board Date:** June 22, 2022

**Purpose of Resolution:** To permit the Executive Director, Chairman and Vice Chairman to execute and deliver a utility easement agreement with the LTMUA in the approach to the Cape May Ferry terminal

### **Background for Resolution:**

LTMUA has authorized an \$2.5 emergency contract to run a water line extension to the Lower Cape May Regional HS. The school is currently served by 2 private wells that have failed or are failing. The new line is planned to run in the ROW of the ferry approach road leading to the Cape May ferry terminal. The easement will be finalized when a survey, legal description and metes and bounds are provided as well as a set of as-built drawings.