

**ORDINANCE NO. 3937-11**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF TEMPORARY WATER & UTILITY EASEMENTS; TEMPORARY SANITARY SEWERAGE & WATERLINE EASEMENTS; WATERLINE EASEMENTS; DRAINAGE EASEMENTS AND SIGHT TRIANGLE EASEMENTS – SUMMERFIELDS AT FRANKLIN, LLC – DOCKET #PLN2006-0030 – BLOCK 516, LOTS 6.04, 15.**

**SUMMARY**

An Ordinance authorizing acceptance of temporary water & utility easements; temporary sanitary sewerage & waterline easements; waterline easements; drainage easements and sight triangle easements – Summerfields at Franklin, LLC – Docket #PLN2006-0030 (Preliminary Major Subdivision & Site Plan with Variance) – Block 516, Lots 6.04, 15.

**WHEREAS**, there are Temporary Water & Utility Easements; Temporary Sanitary Sewerage & Waterline Easements; Waterline Easements; Drainage Easements and Sight Triangle Easements between Summerfields at Franklin, LLC (Grantor) and the Township of Franklin (Grantee) in connections with Planning Board Docket #PLN2006-0030; and

**WHEREAS**, the Grantor is the owner of property located at Block 516, Lots 6.04 and 15; and

**WHEREAS**, acceptance of the conveyance of said real property requires the approval by Ordinance of the Township Council pursuant to NJSA 40A:12-5; and

**WHEREAS**, the Township Council has determined that it is in the public interest to accept said real property;

**NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey as follows:

**SECTION I**

That the Township accepts the conveyance of Temporary Water & Utility Easements; Temporary Sanitary Sewerage & Waterline Easements; Waterline Easements; Drainage Easements and Sight Triangle Easements as described as follows:

**TEMPORARY WATERLINE & UTILITY EASEMENT – BLOCK 516.01, LOT 4.10** – The attached Temporary Waterline & Utility Easement on property designated as Block 516.01, Lot 4.10 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines and utilities to be installed within the area of said Temporary Easement.

**TEMPORARY SANITARY SEWERAGE & WATERLINE EASEMENT – BLOCK 516.01, LOT 4.10** – The attached Temporary Sanitary & Waterline Easement on property designated as Block 516.01, Lot 4.10 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating sewer lines to be installed within the area of said Temporary Easement.

**TEMPORARY SANITARY SEWERAGE & WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 62** – The attached Temporary Sanitary & Waterline Easement on property designated as Block 516.02, part of Lot 62 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating sewer lines to be installed within the area of said Temporary Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 46** – The attached Waterline Easement on property designated as Block 516.02, part of lot 46 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing,

maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 47** – The attached Waterline Easement on property designated as Block 516.02, part of lot 47 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 54** – The attached Waterline Easement on property designated as Block 516.02, part of lot 54 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 55** – The attached Waterline Easement on property designated as Block 516.02, part of lot 55 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 60** – The attached Waterline Easement on property designated as Block 516.02, part of lot 60 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 60** – The attached Waterline Easement on property designated as Block 516.02, part of lot 60 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**WATERLINE EASEMENT – BLOCK 516.02, PART OF LOT 62** – The attached Waterline Easement on property designated as Block 516.02, part of lot 62 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for the constructing, maintaining and operating water lines to be installed within the area of said Permanent Easement.

**DRAINAGE EASEMENT – BLOCK 516.03, LOTS 1-21**– The attached Drainage Easement on property designated as Block 516.03, Lots 1-21 as incorporated by reference and made part of this ordinance. The purpose of said permanent easement shall be for the maintaining the Storm Drainage System, together with all surface and subsurface appurtenances deemed desirable or necessary to construct, reconstruct, operate, use, maintain, protect, inspect and repair the same.

**DRAINAGE EASEMENT – BLOCK 516.04, LOTS 1-22**– The attached Drainage Easement on property designated as Block 516.04, Lots 1-22 as incorporated by reference and made part of this ordinance. The purpose of said permanent easement shall be for the maintaining the Storm Drainage System, together with all surface and subsurface appurtenances deemed desirable or necessary to construct, reconstruct, operate, use, maintain, protect, inspect and repair the same.

**DRAINAGE EASEMENT – BLOCK 516.05, LOTS 1-21**– The attached Drainage Easement on property designated as Block 516.05, Lots 1-21 as incorporated by reference and made part of this ordinance. The purpose of said permanent easement shall be for the maintaining the Storm Drainage System, together with all surface and subsurface appurtenances deemed desirable or necessary to construct, reconstruct, operate, use, maintain, protect, inspect and repair the same.

**DRAINAGE EASEMENT - BLOCK 516.05, LOT 21**- The attached Drainage Easement on property designated as Block 516.05, Lot 21 as incorporated by reference and made part of this ordinance. The purpose of said permanent easement shall be for the maintaining the Storm Drainage System, together with all surface and subsurface appurtenances deemed desirable or necessary to construct, reconstruct, operate, use, maintain, protect, inspect and repair the same.

**SIGHT TRIANGLE EASEMENT - BLOCK 516.03, LOT 1** - The attached Sight Triangle Easement on property designated as Block 516.03, Lot 1 as incorporated by reference and made part of this ordinance.

**SIGHT TRIANGLE EASEMENT - BLOCK 516.03, LOT 21** - The attached Sight Triangle Easement on property designated as Block 516.03, Lot 21 as incorporated by reference and made part of this ordinance.

**SIGHT TRIANGLE EASEMENT - BLOCK 516.05, LOT 1** - The attached Sight Triangle Easement on property designated as Block 516.05, Lot 1 as incorporated by reference and made part of this ordinance.

**SIGHT TRIANGLE EASEMENT - BLOCK 516.05, LOT 21** - The attached Sight Triangle Easement on property designated as Block 516.05, Lot 21 as incorporated by reference and made part of this ordinance.

## **SECTION II**

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

## **SECTION III**

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

## **SECTION IV**

This ordinance shall take effect immediately upon adoption and publication according to law.

### **ORDINANCE NO. 3937-11**

This is a true copy of an ordinance adopted by the Township Council Township of Franklin, Somerset County, New Jersey.

Introduced: May 10, 2011  
Public Hearing: May 24, 2011  
Adoption: May 24, 2011  
Notice of Adoption: May 31, 2011  
Effective Date: June 13, 2011

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Ann Marie McCarthy, Township Clerk