

**ORDINANCE NO. 3938-11**

**AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF DRAINAGE EASEMENTS; WATER MAIN EASEMENTS; AND SANITARY SEWER & DRAINAGE EASEMENTS; SANITARY SEWER & WATER MAIN EASEMENT IN CONNECTION WITH LAKESIDE AT FRANKLIN, LLC – DOCKET #ZBA-10-00023 – BLOCK 424.02; LOTS 29.12; 29.13; 29.14; 29.15; 29.16; 29.17; 29.18; 29.20; & 29.21.**

**SUMMARY**

An Ordinance authorizing acceptance of drainage easements; water main easements; sanitary sewer & drainage easements and sanitary sewer & water main easements in connection with Lakeside at Franklin, LLC – Docket #ZBA-10-00023 – Block 424.02; Lots 29.12; 29.13; 29.14; 29.15; 29.16; 29.17; 29.18; 29.20; & 29.21.

**WHEREAS**, there are Drainage Easements; Water Main Easements; Sanitary Sewer & Drainage Easements and Sanitary Sewer & Water Main Easements between Lakeside at Franklin, LLC (Grantor) and the Township of Franklin (Grantee) in connections with Zoning Board of Adjustment Docket #ZBA-10-00023; and

**WHEREAS**, the Grantor is the owner of property located at Block 424.02, Lots 29.12; 29.13; 29.14; 29.15; 29.16; 29.17; 29.18; 29.20; & 29.21 ; 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 Drainage Easements; Water Main Easements; Sanitary Sewer & Drainage Easements and Sanitary Sewer & Water Main Easements as described as follows:

**DRAINAGE EASEMENT – BLOCK 424.02, PARTS OF LOT 29.13** – The attached Drainage Easement on property designated as Block 424.02, Lot 29.13 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for 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 424.02, PARTS OF LOTS 29.17 & 29.18** – The attached Drainage Easement on property designated as Block 424.02, Lot 29.13 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for 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.

**WATER MAIN EASEMENT – BLOCK 424.02, PARTS OF LOT 29.20** – The attached Water Main Easement on property designated as Block 424.02, Parts of Lot 29.20 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for constructing, maintaining and operating water main to be installed within the area of said Permanent Easement.

**SANITARY SEWER AND DRAINAGE EASEMENT – BLOCK 424.02, PART OF LOTS 29.12, 29.13 & 29.14** – The attached Sanitary Sewer and Drainage Easement on property designated

as Block 424.02, Parts of Lots 29.12, 29.13 & 29.14 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for constructing, maintaining and operating sanitary sewer and drainage to be installed within the area of said Permanent Easement.

**SANITARY SEWER AND DRAINAGE EASEMENT – BLOCK 424.02, PART OF LOTS 29.15, 29.16, 29.17 & 29.18** – The attached Sanitary Sewer and Drainage Easement on property designated as Block 424.02, Parts of Lots 29.15, 29.16, 29.17 & 29.18 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for constructing, maintaining and operating sanitary sewer and drainage to be installed within the area of said Permanent Easement.

**SANITARY SEWER AND WATER MAIN EASEMENT – BLOCK 424.02, PART OF LOTS 29.18 & 29.21** – The attached Sanitary Sewer and Water Main Easement on property designated as Block 424.02, Parts of Lots 29.18 & 29.21 as incorporated by reference and made part of this ordinance. The purpose of said easement shall be for constructing, maintaining and operating sanitary sewer and drainage to be installed within the area of said Permanent Easement.

## **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. 3938-11**

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

Introduced:	May 24, 2011
Public Hearing:	June 14, 2011
Adoption:	June 14, 2011
Notice of Adoption:	June 20, 2011
Effective Date:	July 4, 2011

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Ann Marie McCarthy, Township Clerk