

ORDINANCE NO. 3730

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY ACCEPTING AN EASEMENT RESTRICTING PROPERTY KNOWN AS BLOCK 5.02, LOTS 26.01 & 171 (HIGGINS FARM PROPERTY) FOR AGRICULTURAL USE ONLY.

SUMMARY

An ordinance accepting an easement restricting property known as Block 5.02, Lots 26.01 & 171 (Higgins Farm Property) for agricultural use only.

WHEREAS, Grantor is the owner of a parcel of land located in the Township of Franklin, County of Somerset, State of New Jersey, known as Block 5.02, Lots 26.01 & 171 (the "Property"); and

WHEREAS, the parties hereto have agreed to impose on the Property agricultural use restrictions as covenants that will run with the land for the purpose of protecting human health and the environment; and

WHEREAS, the required Easement shall be in a form approved by the Township Attorney and on file with the Township Clerk and available for public inspection; and

WHEREAS, acceptance of the easements require the approval by Ordinance of the Township Council pursuant to **NJSA 40A:12-5**; and

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 an easement that restricts property known as Block 5.02, Lots 26.01 & 171 (Higgins Farm Property) for agricultural use only in a form approved by the Township Attorney.

SECTION II

Each clause, section of 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All ordinances of parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.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. 3730

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

| | |
|---------------------------|-------------------|
| INTRODUCED: | November 20, 2007 |
| PUBLIC HEARING: | December 11, 2007 |
| ADOPTED: | December 11, 2007 |
| NOTICE OF FINAL ADOPTION: | December 17, 2007 |
| EFFECTIVE DATE: | December 31, 2007 |

Ann Marie McCarthy, Township Clerk