

ORDINANCE NO. 3731

AN ORDINANCE TO ACQUIRE BY PURCHASE AN AGRICULTURAL EASEMENT IN CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR FARM PRESERVATION PURPOSES AND TO PROVIDE FOR THE SALE OF SAID EASEMENT TO THE STATE AGRICULTURAL DEVELOPMENT COMMITTEE

SUMMARY

An ordinance authorizing the acquisition the purchase of an agricultural easement on land known as the Suydam Farm located on Skillman Lane (Block 85, Lots 62.01 and Block 57.01, Lot 32.01 and the 3.858 acres of Lot 61 that was granted minor subdivision approval by the Franklin Township Planning Board in Docket #PLN-07-00027) and the sale of said easement to the State Agricultural Development Committee.

WHEREAS, pursuant to NJSA 40:48-2, the Township of Franklin is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to NJSA 40:61-1 et. seq., the Township may acquire lands for open space and/or farm preservation purposes; and

WHEREAS, pursuant to NJSA 40A:12-5, the Township has the power to acquire any real property for a public purpose by purchase or condemnation; and

WHEREAS, the Township has obtained an appraisal report that states the fair market value of the property or interest therein to be acquired; and

WHEREAS, the Township has determined that it would serve a public purpose for it to acquire an agricultural easement in said property to preserve farm land within the Township;

WHEREAS, the Township has secured funding in the amount of \$2 million dollars from the County of Somerset toward the purchase of the agricultural easement on said property;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that:

1. The acquisition the development rights and an agricultural easement in the following parcels of land is hereby authorized: Suydam Farm located on Skillman Lane (Block 85, Lots 62.01, Block 57.01, Lot 32.01 and the 3.86 acres of Block 85, Lot 61 that was granted minor subdivision approval by the Franklin Township Planning Board in Docket #PLN-07-00027.
2. The Township shall pay for the acquisition of the easements set forth in Paragraph 1 hereof, the sum of \$12,350,000.00.

3. The Township is authorized to sell to the State of New Jersey Agricultural Development Committee the easements described in Paragraph 1 hereof for the sum of \$4,282,781.00

BE IT FURTHER ORDAINED that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

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THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ

Introduced: January 8, 2008
Public Hearing: January 22, 2008
Adoption: January 22, 2008
Notice of Adoption: January 29, 2008
Effective Date: February 11, 2008

Ann Marie McCarthy, Township Clerk