

ORDINANCE NO. 3754

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR OPEN SPACE AND/OR FARMLAND PURPOSES (PAGANO PROPERTY – 193 BENNETTS LANE – BLOCK 85/LOT 27)

SUMMARY

An ordinance authorizing the acquisition by purchase or condemnation the following property for open space and/or farmland purposes – Pagano Property – 193 Bennetts Lane – Block 85, Lot 27, +/- 7 acres.

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 park and conservation 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 to be acquired; and

WHEREAS, the Township has determined that it would serve a public purpose for it to acquire said property to preserve open space within the Township;

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 by negotiation and/or eminent domain, of the following parcel of land is hereby authorized:

Pagano Property identified as Block 85, Lot 27 (193 Bennetts Lane), consisting of +/- 7 acres

2. The Township shall pay for the acquisition of the properties set forth in Paragraph 1 hereof, the fair market value on the date of acquisition, as determined by an appraisal report prepared on behalf of the Township by a recognized and qualified appraiser and after approval of said amount by the Township Council.

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

ORDINANCE NO. 3754

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

Introduced: May 13, 2008
Public Hearing: June 10, 2008
Adoption: June 10, 2008
Notice of Adoption: June 17, 2008
Effective Date: June 30, 2008

Ann Marie McCarthy, Township Clerk