

ORDINANCE NO. 3756

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF DEED OF WATER EASEMENTS - JEREMY COURT, LLC – 304 BENNETTS LANE – BLOCK 86.01, LOT 9.68– DOCKET #PLN2005-0039

SUMMARY

An Ordinance authorizing acceptance of deed of water easements – Jeremy Court, LLC – 304 Bennetts Lane – Block 86.01, Lot 9.68 – Docket #PLN2005-0039.

WHEREAS, Jeremy Court, LLC (hereinafter referred to as the “Applicant”), has applied to the Township of Franklin Planning Board (hereinafter referred to as the “Board”) for relief of a condition included in the Preliminary and Final Subdivision approval and variance relied pertaining to premises known as 304 Bennetts Lane, and designated on the Tax Map of the Township of Franklin as Block 86.01, Lot 9.68, in the R-40 zone district so as to retain an existing residence that does not conform to front yard setback and lot frontage requirements; and

WHEREAS, the Applicant received preliminary and final subdivision approval for the creation of eight single-family residential building lots on December 14, 2005, and as memorialized by Resolution on January 18, 2006 under Docket #PLN-2005-0039; 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 Deed of Water Line Easements as described as follows:

DEED OF WATER LINE EASEMENT – BLOCK 86.01, LOT 9.64 – The attached Deed of Water Line Easement on property designated as Block 86.01, Lot 9.64 as incorporated by reference and made part of this ordinance. The Grantor is desirous of constructing a residential development on its property and wishes to provide water services to Grantor’s property by way of an easement over, under and across Grantor’s property to Grantee for water utility services within the limits of the property described in Schedule “A”; and

DEED OF WATER LINE EASEMENT – BLOCK 86.01, LOT 6.01 – The attached Deed of Water Line Easement on property designated as Block 86.01, Lot 6.01 as incorporated by reference and made part of this ordinance. A portion of said water line system will be located on the Grantor’s property known as Block 86.01, Lot 6.01 on the Tax Map of the Township of Franklin and, therefore, a temporary right to enter to construct and a permanent easement over Grantor’s property is required. Grantor is willing to grant and convey to the Adjoining Property Owner and the Township such right of entry and easement over Grantor’s property in accordance with and subject to the terms and conditions set forth herein.

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.

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

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