

ORDINANCE NO. 3794

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR OPEN SPACE AND/OR FARMLAND PURPOSES (FEIBEL PROPERTY/GEORGETOWN ROAD/BLOCK 11.01, LOT 24.01 – KURZAWSKI PROPERTY/SKILLMAN LANE/BLOCK 85, LOT 1.03 – RANDOLPH PROPERTY/GROUSER ROAD/BLOCK 59.01/LOT 9 – SKIKUS PROPERTY/GROUSER ROAD/BLOCK 59.01, LOT 10.02)

SUMMARY

An ordinance authorizing the acquisition by purchase or condemnation the following property for open space and/or farmland preservation purposes: a) Feibel Property located on Georgetown Road and identified as Block 11.01, Lot 24.01, consisting of plus/minus 22.8 acres; and b) Kurzawski Property located on Skillman Lane and identified as Block 85, Lot 1.03, consisting of plus/minus 1.4 acres; c) Randolph Property located on Grouser Road and identified as Block 59.01, Lot 9, consisting of plus/minus 6.8 acres; and d) Skikus Property located on Grouser Road and identified as Block 59.01, Lot 10.02, consisting of plus/minus 10.4 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 and/or farmland preservation 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 parcels of land is hereby authorized:
 - a) Feibel Property located on Georgetown Road and identified as Block 11.01, Lot 24.01, consisting of plus/minus 22.8 acres;
 - b) Kurzawski Property located on Skillman Lane and identified as Block 85, Lot 1.03, consisting of plus/minus 1.4 acres;
 - c) Randolph Property located on Grouser Road and identified as Block 59.01, Lot 9, consisting of plus/minus 6.8 acres; and
 - d) Skikus Property located on Grouser Road and identified as Block 59.01, Lot 10.02, consisting of plus/minus 10.4 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. 3794

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

Introduced: October 14, 2008
Public Hearing: November 10, 2008
Adoption: November 10, 2008
Notice of Adoption: November 19, 2008
Effective Date: November 30, 2008

Ann Marie McCarthy, Township Clerk