

ORDINANCE NO. 3834

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF STORM SEWER EASEMENT - JUAN CERDA - BLOCK 94/LOTS 27.01, 28.01, 29.01 AND 31.01 (F/K/A 27, 28, 29, 30 AND 31)

SUMMARY

An ordinance accepting the conveyance of a storm sewer easement from Juan Cerda in connection with the Cerda major Subdivision, Docket #PLN2005-0060 for Block 94, Lots 27.01, 28.01, 29.01 and 31.01 (formerly known as 27, 28, 29, 30 and 31).

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey, as follows:

WHEREAS, Juan Cerda, his successors or assigns, is the owner Block 94, Lots 27.01, 28.01, 29.01 and 31.01 (formerly known as 27, 28, 29, 30 and 31), as shown on the Tax Map of the Township of Franklin ("Grantee"), Somerset County, New Jersey (hereinafter, the "Premises"); and

WHEREAS, the required Easement has been obtained from Grantor and is on file with the Township Clerk and available for public inspection; and

WHEREAS, acceptance of the easement 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 easement;

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

1. The Township accepts the attached Storm Sewer Easement, on property designated as Block 94, Lots 27.01, 28.01, 29.01 and 31.01 (formerly known as 27, 28, 29, 30 and 31), as incorporated and by reference and made part of this ordinance.
2. Said easement shall be for the purpose of constructing and maintaining the Storm Sewer, together with all surface and subsurface appurtenances deemed desirable or necessary to construct, reconstruct, operate, use, maintain, protect, inspect and repair the same.
3. The Township Attorney is hereby authorized to record the easement tendered by Grantor with the Somerset County Clerk.

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All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.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.

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| Introduced: | June 9, 2009 |
| Public Hearing: | July 14, 2009 |
| Adoption: | July 14, 2009 |
| Notice of Adoption: | July 27, 2009 |
| Effective Date: | August 3, 2009 |

Ann Marie McCarthy, Township Clerk