

ORDINANCE NO. 3687

AN ORDINANCE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF DEED OF DRAINAGE EASEMENT AND DEED OF UTILITY EASEMENT – RACHEL MANOR PROPERTIES – DOCKET #PLN2005-0039.

SUMMARY

An Ordinance authorizing acceptance of deed of drainage easement to the Township for Lot 9.68 in Block 86.01 and deed of utility easement to the Township for Lot 9.64 in Block 86.01 in connection with Rachel Manor Properties – Docket No. PLN2005-0039.

**WHEREAS**, Rachel Manor, LLC is the owner in fee simple of certain lands and premises in the Township of Franklin, County of Somerset and State of New Jersey commonly known as Lot 9.68 in Block 86.01; and

**WHEREAS**, Rachel Manor, LLC has recently subdivided this property and has received final subdivision approval from the Franklin Township Planning Board as set forth in a resolution adopted by the Planning Board on January 18, 2006, in Docket #PLN2005-0039; 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 Dedications as described as follows:

**DRAINAGE EASEMENT – BLOCK 86.01, LOT 9.68** – The attached Drainage Easement on property designated as Block 86.01, Lot 9.68 as incorporated by reference and made part of this ordinance. The Grantor shall allow drainage over said property and shall allow Grantee to construct, maintain, deepen and keep in repair open ditches or drains or piping or other implements of drainage into, over, across and under said property of Grantor of such character and sufficient size as to make a proper and sufficient outlet forever for any drainage system the Grantee, its successors and assigns may establish upon its lands so as to sufficiently drain the same of surface water runoff.

**UTILITY EASEMENT – BLOCK 86.01, LOT 9.64** – The attached Utility Easement on property designated as Block 86.01, Lot 9.64 incorporated by reference and made part of this ordinance. The said Permanent Easement shall be for the purpose of continuous and perpetual right of ingress and egress, right of entry, access and utility easement, through, over, under, upon, across a portion of new Lot 9.64 in Block 86.01.

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: March 27, 2007  
Public Hearing: April 24, 2007  
Adoption: April 14, 2007  
Notice of Adoption: April 30, 2007  
Effective Date: May 14, 2007

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Ann Marie McCarthy, Township Clerk