

RESOLUTION AUTHORIZING SETTLEMENT OF THE CONDEMNATION ACTION FILED BY THE TOWNSHIP FRANKLIN TO ACQUIRE A SEWER EASEMENT ON THE PROPERTY DESIGNATED ON THE TAX MAPS OF THE TOWNSHIP AS BLOCK 150, LOT 53

WHEREAS, the Township of Franklin (the "Township") adopted Ordinance No. 3688 on May 22, 2007, authorizing the acquisition of easements on certain lands for the purpose of constructing a force main for the Pine Street Sewer Pump Station; and

WHEREAS, included among the properties to be acquired by the Township is a portion of the land designated on the Tax Maps of the Township as Block 150, Lot 53, which partial taking consists of a twenty foot by one hundred foot (20' x 100') easement (the "Property"); and

WHEREAS, the Property was appraised and valued by Sterling, DiSanto & Associates at \$12,500.00; and

WHEREAS, on December 14, 2007, the Township filed a condemnation action in the Superior Court of New Jersey, captioned Township of Franklin v. Vardhaman R. Doshi, et al., under Docket No. SOM-L-1932-07 (the "Condemnation Action") in order to effectuate the acquisition of the Property; and

WHEREAS, the parties to the Condemnation Action have engaged in settlement negotiations, and Defendant, Vardhaman R. Doshi, has agreed to accept the amount of \$20,000.00 as just compensation for the Property; and

WHEREAS, the Township Attorney and the Appraisal Consultant for the Township recommend the settlement of the Condemnation Action.

NOW, THEREFORE, BE IT RESOLVED this 9th day of June 2009, by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, that:

Section 1. The Township is hereby authorized to resolve and settle the above-captioned matter by establishing the "just compensation" for the Property at \$20,000.00, and paying to Defendant the remaining balance of \$7,500.00, and is further authorized to enter into any agreement, execute consent orders or judgments, as appropriate and necessary to settle the Condemnation Action.

Section 2. This resolution shall take effect immediately.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the 9th day of June 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 10th day of June 2009.

Ann Marie McCarthy
Township Clerk