

ORDINANCE NO. 3702

AN ORDINANCE TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY FOR OPEN SPACE AND/OR FARM PRESERVATION PURPOSES

SUMMARY

An ordinance authorizing the acquisition by purchase or condemnation land known as the Terhune Farm located on Canal Road (Block 33.01, Lots 16-17 and Block 19, Lot 36) for open space and/or farm preservation purposes.

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 open space and/or farm preservation 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 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: Terhune Farm located on Canal Road (Block 33.01, Lots 16-17 and Block 19, Lot 36).
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.

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

Introduced: June 12, 2007
Public Hearing: June 28, 2007
Adoption: June 28, 2007
Notice of Adoption: July 10, 2007
Effective Date: July 18, 2007

Ann Marie McCarthy, Township Clerk