

RO-08-12

AN ORDINANCE TO ACCEPT AN ASSIGNMENT OF AN EASEMENT ON BLOCK 28, LOT 15 IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the Musconetcong Watershed Association accepted a Deed of Easement from Claremont Valley, L.L.C. dated November 14, 2002, and recorded on September 17, 2004 in Deed Book 06157, Page 001 in the office of the Morris County Clerk, with regard to property shown as Block 28, Lot 15 on the tax maps of the Township of Washington, County of Morris, State of New Jersey; and

WHEREAS, by such Deed of Easement, the Musconetcong Watershed Association acquired a conservation restriction and conveyance of non-agricultural development rights; and

WHEREAS, the Musconetcong Watershed Association has requested that the Township accept an assignment of the Deed of Easement; and

WHEREAS, the Township Committee has determined that it is consistent with the public necessity and general welfare of the citizens of the Township of Washington that the assignment be accepted; and

WHEREAS, the Township Committee has determined that the acceptance of the assignment would be in the public interests.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Washington, in the County of Morris and State of New Jersey, as follows:

SECTION 1. That the Assignment of the Deed of Easement from the Musconetcong Watershed Association to the Township of Washington a municipal corporation existing under and by virtue of the laws of the State of New Jersey, be accepted.

SECTION 2. The said interests so conveyed to the Township of Washington are described in the Assignment of Deed of Easement dated March 29, 2012 from the Musconetcong Watershed Association to the Township of Washington.

SECTION 3. The Township Attorney is authorized to record the Assignment of Deed of Easement in the office of the Morris County Clerk.

SECTION 4. The Township Clerk shall within sixty (60) days after this ordinance becomes effective, file a certified copy thereof, under the seal of the Township of Washington, in the Office of the Morris County Clerk.

SECTION 5. All Ordinances of the Township of Washington that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause of phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

TOWNSHIP OF WASHINGTON
COUNTY OF MORRIS
STATE OF NEW JERSEY

Deborah A. Burd, Acting Township Clerk

Kenneth W. Short, Mayor