

AN ORDINANCE APPROVING A CORRECTIVE DEED, RECIPROCAL ACCESS, MAINTENANCE AND EASEMENT AGREEMENT

WHEREAS, the owner of 22 Gail Court, JBJ, LLC, has advised the Township Engineer that there was an error in the description in a Deed that was given to the Township of Sparta dated January 22, 2004, recorded in Deed Book 2804, Page 250, at the Sussex County Clerk's Office. The purpose of the Deed was to dedicate a portion of then Block 32.01, Lot 7 to the Township of Sparta as part of a final site plan approval. JBJ, LLC desires to file a corrective deed; and

WHEREAS, JBJ, LLC and the Township of Sparta also desire to enter into the Corrective Deed, Access, Maintenance and Easement Agreement ("Agreement") in order to provide that each party will have the ability to access the others property for the purpose of maintaining their respective catch basins as depicted on Schedule A to the Agreement; and

WHEREAS, JBJ, LLC seeks to confirm its responsibility for maintaining the pipe that connects the Township's catch basin and JBJ, LLC's catch basin as provided for in the Agreement; and

WHEREAS, the New Jersey Local Lands and Building Law, N.J.S.A. 40A:12-1 et. seq. authorizes the acceptance of the Deed and Easements.

NOW, THEREFORE, BE IT ORDAINED by the Sparta Township Council, Sussex County, New Jersey that:

Section 1. The Corrective Deed, Access, Maintenance and Easement Agreement between the Township of Sparta and JBJ, LLC is hereby approved.

Section 2. The Mayor and Township Clerk are authorized to sign the Agreement.

Section 3. This Ordinance shall take effect immediately; however, it shall be void and have no effect in the event that JBJ, LLC fails or refuses to execute the Agreement.

Section 4. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 5. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Council of the Township of Sparta on June 9, 2015, and will be considered for final passage after public hearing at a regular meeting of the Township Council of the Township of Sparta to be held on June 23, 2015, at 7:30 p.m. in the Municipal Building, 65 Main Street, Sparta, New Jersey.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

Mary J. Coe, RMC
Municipal Clerk

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on June 9, 2015. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on June 23, 2015 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

MARY J. COE, RMC
MUNICIPAL CLERK