

**AN ORDINANCE AUTHORIZING A PARTIAL RELEASE
OF EASEMENT**

WHEREAS, Taggart Quintet, LLC (“Property Owner”) is the owner of the property located at 570-572 Lafayette Road (Block 12006 Lots 8 & 9 on the Sparta Township Tax Map) (the “Property”). Property Owner’s tenant, Lion Technology, Inc. (“Tenant”) received preliminary and final site plan approval from the Township of Sparta Zoning Board of Adjustment by resolution memorialized on January 28, 2015 and amended by resolution memorialized on May 27, 2015, for the construction of a new office building, parking and improvements on the Property.

WHEREAS, the approved site plan calls for the vacation of a portion of an existing water main easement in favor of the Township of Sparta as provided for in a “Common Driveway and Maintenance Agreement and Easements” document between Chester Basher, Jr. and Beryl Basher and Chester Basher, Jr. and Beryl Basher, executed on December 19, 2007 and recorded with the Sussex County Clerk’s Office on January 430, 2008, in Book 3194, Page 75.

WHEREAS, Property Owner has requested that the Township of Sparta vacate the portion of the water main easement as reflected on Exhibit A to this Ordinance.

WHEREAS, the Township of Sparta’s Director of Utilities and Township Engineer have reviewed the request to vacate the water main easement and have determined that it is no longer needed for the Township’s water system.

WHEREAS, the Township Council desires to vacate the portion of the water main easement contained on the site plan and as shown on Exhibit A to this Ordinance in accordance with the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

NOW, THEREFORE, BE IT ORDAINED by the Sparta Township Council:

The Partial Release of Easement attached to this Ordinance as Exhibit B is hereby approved. The Mayor and the Township Clerk are authorized to sign the Partial Release of Easement on behalf of the Township.

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.

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or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Effective Date. This Ordinance shall take effect immediately.

NOTICE

NOTICE is hereby given that the above ordinance was introduced and passed at first reading at a meeting of the Township Council of the Township of Sparta held on Tuesday, September 27, 2016 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and will be considered for final passage at a meeting to be held on Tuesday, October 11, 2016 at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

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 September 27, 2016. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on October 11, 2016 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