

**AN ORDINANCE ACCEPTING EASEMENTS FROM CC HOLDINGS LLC
AND APPROVING MORTGAGE SUBORDINATIONS**

WHEREAS, CC Holdings LLC (“Developer”) obtained approvals from the Sparta Township Planning Board for its development involving Block 16001, Tax Lots 4, 8 and 91. As part of the approvals, the Developer was required to provide certain easements to the Township of Sparta; and

WHEREAS, Developer has provided the following easements to the Township of Sparta, which have been reviewed and approved by the Sparta Township Planning Board Engineer and Attorney, as well as the Township Engineer and Township Attorney:

Deed of Conservation Easement
Deed of Sight, Drainage & Access Easement
Deed of Snow Removal Easement
Deed of Trail & Access Easement
Deed of Water Main & Access Easement
Deed of Portion of Existing Water Main Easement
 Located Over tax lot 89.26, Block 16001
Deed of Portion of Existing Water Main Easement
 Located Over tax lot 89.26, Block 16001

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

WHEREAS, the Developer has also prepared and delivered to the Township signed subordination agreements from its lenders, First Hope Bank and NVR, Inc. In addition, the developer of the residential component of the project, NVT Holdings LLC, has delivered to the Township a subordination agreement from its lender, NVT Holdings LLC. The mortgage subordination documents were requested by the Township Attorneys in order that the Township’s easements will have priority over the lender’s mortgage liens; and

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

Section 1. CC Holdings LLC’s easements:

Deed of Conservation Easement
Deed of Sight, Drainage & Access Easement
Deed of Snow Removal Easement
Deed of Trail & Access Easement
Deed of Water Main & Access Easement
Deed of Portion of Existing Water Main Easement
 Located Over tax lot 89.26, Block 16001
Deed of Portion of Existing Water Main Easement
 Located Over tax lot 89.26, Block 16001

are hereby accepted. As a point of clarification, no deeds or easements for road dedication, storm water detention basin and rights of way are being accepted by the Township at this time. The mortgage Subordination Agreements are hereby approved, and the Mayor and Township Clerk are authorized to sign the Subordination Agreements on behalf of the Township of Sparta.

Section 2. This approval is subject to the Township Attorney being provided with current title reports confirming that there are no liens or encumbrances against the easements. The easements shall then be recorded by the Developer with the Sussex County Clerk's Office at the Developers expense.

Section 3. 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 4. 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.

Section 5. Effective Date. This ordinance shall take effect after publication and passage according to law.

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on September 25, 2018, and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on October 9, 2018 at 7:30 p.m., 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.

Kathleen Chambers, Township 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 25, 2018. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on October 9, 2018 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.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK