

**AN ORDINANCE AUTHORIZING THE RELEASE OF A RIGHT-OF-WAY AND
UTILITY EASEMENT IN ACCORDANCE WITH THE NEW JERSEY LOCAL LANDS
AND BUILDINGS LAW, N.J.S.A. 40A:12-1, et seq.**

WHEREAS, Nelson and Joan Fernandes, the owners of the property located at 100 Indian Trail (Block 5023, Lot 3) (the “Property”) have requested that the Township of Sparta extinguish its water utility easements on the Property; and

WHEREAS, the Township’s Director of Utilities has confirmed that the Township of Sparta no longer uses the potable water well that was located on the Property and as such the easements may be extinguished; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., authorizes the extinguishment of the easements pursuant to N.J.S.A. 40A:12-13(b)(4).

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

1. The Township is hereby authorized to extinguish the easements against the Property known as Block 5023, Lot 3 on the Sparta Township Tax Map.
2. That the Mayor and Township Clerk of the Township of Sparta are hereby authorized to execute this Ordinance.
3. That any other Township officials and professionals are hereby authorized and directed to take all actions that are necessary in order to effectuate the intentions of this Ordinance.
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

BE IT FURTHER ORDAINED, that the Mayor and Township Clerk are authorized to sign the attached Quit Claim Deed extinguishing the easements, provided that the property owners execute the Quitclaim Deed.

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or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.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

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Council of the Township of Sparta on November 12, 2019 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 November 26, 2019, at 7:00 p.m. in the Municipal Building, 65 Main Street, Sparta, New Jersey.

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

KATHLEEN CHAMBERS, 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 November 12, 2019. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, to be held on November 26, 2019 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