

Cranbury Township Ordinance # 08-16-16

TOWNSHIP OF CRANBURY
COUNTY OF MIDDLESEX

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A STORM
WATER DRAINAGE AND UTILITY EASEMENT AND RIGHT-OF-WAY
OVER, UPON AND WITHIN BLOCK 26, LOT 29.22, CRANBURY
TOWNSHIP TAX MAP

WHEREAS, the Township Committee of the Township of Cranbury has determined that it is in the public interest to facilitate the construction of an affordable housing project to be located on Block 26, Lot 3 (the “ Affordable Housing Project”); and

WHEREAS, the Township Committee has determined that it is necessary to acquire a storm water drainage and utility easement and right-of-way (the “Easement”) on property owned by the Cranbury Walk Homeowners Association at Block 26, Lot 29.22 (the “ Owner”) in order to facilitate the construction of the Affordable Housing Project; and

WHEREAS, the Township has obtained an appraisal from Martin Appraisal Associates, Inc. regarding the fair market value for the Easement and has attempted to negotiate in good faith with the Owner but has been unable to reach agreement on the terms of an easement agreement; and

WHEREAS, the Township’s appraisal indicates that the fair market value of the Easement is \$7,475.00; and

WHEREAS, said monies are available within the Township’s budget; and

WHEREAS, in order to insure that the Affordable Housing Project may continue in a timely fashion, the Township Administration has recommended to the Township Committee that it authorize acquisition of the Easement by eminent domain as permitted by *N.J.S.A.20:3- 1 et. seq.*

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Cranbury, Middlesex County, NJ as follows:

(1.) The Township wishes to acquire a storm water drainage and utility easement and right-of-way on certain real property owned by the Cranbury Walk Homeowners Association located at Block 26, Lot 29.22 in the Township of Cranbury, Middlesex County, New Jersey for the purpose of storm water management more particularly shown on the Exhibit attached hereto, for the consideration of \$7,475.00;

(2.) The Mayor and Clerk and Township Attorney are hereby authorized and directed to take all necessary actions to acquire said Easement through eminent domain as permitted by *N.J.S.A. 20:3-1 et. seq.*, including the execution of all necessary documents, upon final passage, approval and publication of said ordinance according to law.

(3.) The Ordinance shall take effect upon its passage and publication according to law.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, on August 8, 2016. It will be further considered for final passage, second reading, after public herein thereon, on August 22, 2016 at 7:00 p.m. Copies are available at the Municipal Clerk's Office, 23-A North Main Street, Cranbury, NJ 08512 at no charge or at www.cranburytownship.org, click on "Document Library", then new Ordinances.

Kathleen R. Cunningham, RMC
Municipal Clerk