

**ORDINANCE 2007-32**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TEMPORARY CONSTRUCTION EASEMENTS AND A PERMANENT SANITARY SEWER EASEMENT OVER AND UNDER A PORTION OF LOT 110 IN BLOCK 199 TO THE TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY.**

**WHEREAS**, the Township of Hillsborough is the owner of that property shown as Lot 110 in block 199 on the Tax Map of the Township of Hillsborough (“Property”); and

**WHEREAS**, the Property is adjacent to New Amwell Road, Royce Brook Road, Shady Brook Court and Garretson Lane; and

**WHEREAS**, the Property consists of approximately fifteen (15) acres of parkland; and

**WHEREAS**, the Township of Hillsborough Municipal Utilities Authority requires Temporary Construction Easements and a Permanent Sanitary Sewer Easement over and under the Property to install a sewer parallel to the existing Royce Brook Interceptor Sewer which will benefit the residents of the Township; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., allows the transfer of municipally owned land. N.J.S.A. 40A:12-13 (b) (1) provides in part that:

At private sale, when authorized by resolution, in the case of a county, or by ordinance, in the case of a municipality, in the following cases:

(1) A sale to any political subdivision, agency, department, commission, board or body corporate and politic of the State of New Jersey or to an interstate agency or body of which the State of New Jersey is a member or to the United States of America or any department or agency thereof.

**WHEREAS**, the Township of Hillsborough Municipal Utilities Authority is a body politic within the meaning of N.J.S.A. 40A:12-13(a)(1); and

**WHEREAS**, the State House Commission approved the application of the Township of Hillsborough Municipal Utilities Authority to allow these easements on the Property; and

**WHEREAS**, the Township is of the opinion that the grant of these easements over and under the Property is beneficial to the health, safety and welfare of the residents of the Township because the Township of Hillsborough Municipal Utilities Authority will be constructing a sanitary sewer line to improve service to Township residents; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, Somerset County, New Jersey, that a grant of these easements over and under the Property be made to the Township of Hillsborough Municipal Utilities Authority on the following conditions:

1. That the Township Attorney is hereby authorized to prepare the necessary documents to convey the property.
2. That the Mayor and Clerk are hereby authorized to sign the necessary documents.

3. This Ordinance shall take effect upon adoption and publication according to law.

*Introduced: July 10, 2007*  
*Published: July 19, 2007*  
*Public Hearing: August 14, 2007*  
*Adoption: August 14, 2007*  
*Published: August 23, 2007*

**ATTEST:**

**HILLSBOROUGH TOWNSHIP COMMITTEE**

By: \_\_\_\_\_  
Kevin P. Davis, Clerk

By: \_\_\_\_\_  
Anthony Ferrera, Mayor