

**TOWNSHIP OF MANALAPAN**

**ORDINANCE NO. 2017-19**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANALAPAN VACATING ALL RIGHT, TITLE AND INTEREST IN AND TO A CERTAIN CONSERVATION EASEMENT OVER AND THROUGH LOTS 11.04, 11.10 AND 11.11 IN BLOCK 12 LOCATED ON PEASE ROAD IN THE TOWNSHIP OF MANALAPAN.**

**WHEREAS**, in connection with the development of a major subdivision along Beena Way, a conservation easement was granted to the Township of Manalapan; and

**WHEREAS**, the owners of the property located at 13 Beena Way in the Township of Manalapan, more commonly known and designated as Block 12, Lot 11.11 on the Tax Assessment Map of the Township of Manalapan, have requested that the Township vacate the conservation easement located on and across their property so as to facilitate the construction of property improvements; and

**WHEREAS**, the aforesaid conservation easement also restricts lots 11.04 and 11.10 in Block 12 in the same manner; and

**WHEREAS**, the Township Committee finds that there are no freshwater wetlands, waters and/or transition areas within the aforesaid conservation easement and that the existence of the easement unnecessarily restricts use of the aforesaid properties;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Manalapan, County of Monmouth in the State of New Jersey, as follows:

1. All right, title and interest acquired by the Township of Manalapan in and to the properties known as Lots 11.04, 11.10 and 11.11 in Block 12 as dedicated to the Township as a conservation easement be and the same are hereby vacated.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute and the Township Attorney is be and is hereby authorized to record an appropriate instrument in order to vacate the aforesaid public access easement of record.
3. That certified copies of this Ordinance shall be provided by the Township Clerk to the Township Engineer, the Township Tax Assessor and the Planning Board.
4. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
5. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.
6. This Ordinance shall take effect upon its passage and publication according to law.

## NOTICE OF PUBLIC HEARING

The Ordinance published herewith was Introduced and approved at a meeting of the Township Committee of the Township of Manalapan held on August 9, 2017 and will be further considered for final passage after a Public Hearing thereon before the Township Committee of the Township of Manalapan during a meeting to be held on September 13, 2017 at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, New Jersey at 8:00 p.m. or as soon thereafter as the matter may be reached, or at any meeting to which that meeting may be adjourned, at which time any and all persons who may be interested therein will be given an opportunity to be heard.

The proposed Ordinance in its entirety is on file in the Municipal Clerk's Office and copies may be obtained without charge between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday. A complete copy may also be obtained from the Manalapan Township web-site [www.mtnj.org](http://www.mtnj.org) by clicking on the Ordinance title listed on the Agenda posted for the Township Committee meeting of September 13, 2017.

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Regina Preteroti, RMC  
Municipal Clerk