

ORDINANCE 2020-10

ORDINANCE AUTHORIZING THE EXECUTION OF A DEED OF EASEMENT IN FAVOR OF THE COUNTY OF BURLINGTON CONFIRMING THE UTILIZATION OF PROPERTY KNOWN AS BLOCK 203, LOT 43.01 FOR RECREATION, OPEN SPACE AND CONSERVATION PURPOSES

WHEREAS, on or about May, 2007, the Township of Chesterfield entered into an agreement with Westin Fuchs to purchase certain property known as Block 203, Lots 12.01 and 43, along with the transfer of development right credits associated with said Property; and

WHEREAS, the Township proceeded to closing on September 6, 2007, paying the sum of \$1,670,000.00 for the Property; and

WHEREAS, said Purchase was also funded in part (approximately 50%) by a grant from the State of New Jersey, Department of Environmental Protection, through its Green Acres Program, and was also pledged to be funded by the County of Burlington in the amount of \$417,500.00 (25%); and

WHEREAS, the State of New Jersey has reimbursed the Township in full for its one-half share of the purchase price, but the County of Burlington did not make its payment; and

WHEREAS, recently the County of Burlington acknowledged its responsibility to Chesterfield Township, and has provided the Township with an Agreement of Sale, as well as a Deed of Easement, pursuant to which the County agrees to reimburse the Township its share of the purchase price (said share being \$417,500.00), in exchange for the execution of a Deed of Easement signed by the Township of Chesterfield agreeing to a continued deed restriction on the Property for open space, recreation and/or conservation purposes; and

WHEREAS, the Township Committee of the Township of Chesterfield deems it to be in the best interests of the residents of the municipality to proceed with this transaction, execute the Agreement of Sale and the Deed of Easement, albeit with corrections, and

receive the funding from the County of Burlington to which it is entitled under the original agreements with the County;

NOW, THREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY that the Township hereby conveys unto the County of Burlington, certain rights pursuant to the attached “Deed of Easement”, confirming that the Property known as Block 203, Lot 43.01, familiarly known as the “Fuchs Farm”, is and shall continue to be used solely for open space, recreation (both indoor and outdoor), and conservation purposes.

Introduced: July 23, 2020

Adopted: August 27, 2020

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
S Dhopte	X					X	S Dhopte	X					X
D. Koetas-Dale	X				X		D Koetas-Dale	X					
L Panfili,	X						L Panfili	X					
M Russo	X						M Russo	X				X	
J Liedtka, Mayor	X						J. Liedtka, Mayor	X					
X – Indicates Vote NV – Not Voting AB – Absent ORD – Motion SEC - Seconded													

CERTIFICATION

I, Caryn Hoyer, Chesterfield Township Clerk, hereby certify that the foregoing resolution was duly adopted by the Chesterfield Township Committee at its Regular Business Meeting held on 27TH day of August, 2020.

Caryn Hoyer
Chesterfield Township Clerk