

**HAMPTON TOWNSHIP  
ORDINANCE NO. 2023-04**

**AN ORDINANCE OF THE TOWNSHIP OF HAMPTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ACQUISITION OF EASEMENTS FOR VARIOUS PURPOSES AND DEDICATION BUT NOT ACCEPTANCE OF RIGHTS OF WAY FOR ROAD PURPOSES IN AND OVER BLOCK 3501, LOTS 37 & 38, HAMPTON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY**

**WHEREAS**, N.J.S.A. 40A:12-4 and 40A:12-5 authorize a municipality to acquire real property or any interest therein;

**WHEREAS**, in connection with the development of property in accordance with the requirements of an approval of a major subdivision of Block 3501, Lots 37 & 38 as designated on the official tax map of the Township of Hampton by the Hampton Township Planning Board at its May 21, 2009 meeting as memorialized by Resolution of Memorialization adopted by said Board on July 16, 2009, and any amendments thereto, the dedication, but not acceptance of a portion of said lands for road purposes and the acquisition of easements for various purposes as hereinafter stated are required and recommended by the Hampton Township Planning Board; and

**WHEREAS**, it is in the public interest to obtain easements in and over certain properties known and designated as Block 3501, Lots 37 and 38, Hampton Township for various purposes as further set forth herein;

**BE IT ORDAINED** by the Township Committee of the Township of Hampton, Sussex County, New Jersey, as follows:

**Section 1:** The Township Committee hereby authorizes the dedication, but not acceptance, of a right of way for road purposes over a portion of Block 3501, Lot 37, Hampton Township, containing 22,251 square feet of land, more or less.

**Section 2:** The Township Committee hereby authorizes the dedication, but not acceptance, of a right of way for road purposes over portions of Block 3501, Lots 37 and 38, Hampton Township, containing 71,965 square feet of land, more or less.

**Section 3:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for maintenance, repair, rebuilding and/or installation of drainage channel and maintenance area in and over a portion of Block 3501, Lot 38, Hampton Township, containing 5,596 square feet of land, more or less.

**Section 4:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for maintenance, repair, rebuilding and/or installation of drainage channel and maintenance area in and over a portion of Block 3501, Lot 37, Hampton Township, containing 4,999 square feet of land, more or less.

**Section 5:** The Township Committee hereby authorizes the acquisition and acceptance of a sight triangle easement along New Jersey State Highway Route 206, in and over a portion of Block 3501, Lot 38, Hampton Township, containing 1,608 square feet of land, more or less.

**Section 6:** The Township Committee hereby authorizes the acquisition and acceptance of a sight triangle easement along New Jersey State Highway Route 206, in and over a portion of Block 3501, Lot 37, Hampton Township, containing 1,302 square feet of land, more or less.

**Section 7:** The Township Committee hereby authorizes the acquisition and acceptance of an easement in and over portions of Block 3501, Lots 37 and 38, Hampton Township, containing 13,093 square feet of land, more or less, in and over proposed Lot 38, and 60,377 square feet of land, more or less, in and

over proposed Lot 37; particularly for ingress, egress and access to stormwater management facilities to undertake inspections, use, maintenance, repair, replacement and installations and to make improvements to the stormwater drainage system.

**Section 8:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for conservation purposes in and over a portion of Block 3501, Lot 37, Hampton Township, containing 507,728 square feet of land, more or less.

**Section 9:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for fire protection purposes in and over a portion of Block 3501, Lots 37 and 38, Hampton Township, containing 54,235 square feet of land, more or less.

**Section 10:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for drainage-related purposes in and over a portion of Block 3501, Lot 37, Hampton Township, containing 14,518 square feet of land, more or less.

**Section 11:** The Township Committee hereby authorizes the acquisition and acceptance of an easement for drainage-related purposes in and over a portion of Block 3501, Lot 38, Hampton Township, containing 13,093 square feet of land, more or less.

**Section 12:** The Mayor and/or Administrator are hereby authorized to execute any and all documents necessary for the acquisitions set forth in this ordinance.

**Section 13:** All ordinances and parts of ordinances inconsistent herewith are hereby repealed. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**Section 14:** A certified copy of this ordinance shall be forwarded to Lowe's Home Centers, LLC, owner of Block 3501, Lots 37 and 38, Hampton Township, New Jersey.

**Section 15:** This ordinance shall take effect immediately on its final passage and publication as required by law.

## **NOTICE ORDINANCE 2023-04**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance #2023-04 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, February 28, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC  
Township Clerk