

**ORDINANCE 2012-08**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON,  
COUNTY OF SUSSEX AND STATE OF NEW JERSEY  
AUTHORIZING THE EXECUTION OF A PERMANENT  
EASEMENT AGREEMENT BETWEEN THE TOWNSHIP OF  
HARDYSTON AND THE SUMMIT LAKE CLUB, INC. T/A  
SUMMIT LAKE HOMEOWNERS ASSOCIATION FOR THE  
REHABILITATION OF THE SUMMIT LAKE DAM**

**WHEREAS**, the Summit Lake Club, Inc. T/A Summit Lake Homeowners Association (“Summit Lake”) has successfully applied for and was approved for a loan, co-signed by the Township of Hardyston, by the State of New Jersey for the rehabilitation of the Summit Lake Dam located in the Township of Hardyston; and

**WHEREAS**, the undertaking of such a project requires that Summit Lake obtain easements from certain parties, including the Township of Hardyston; and

**WHEREAS**, Summit Lake has formally requested that the Township of Hardyston grant it a permanent easement over three lots within the confines of the Township, specifically, Block 79, Lots 63, 64 and 66, on the Township Tax Map for the purposes of facilitating and effectuating the dam rehabilitation project; and

**WHEREAS**, the Township of Hardyston has agreed to enter into such permanent easement agreement, and, under the recommendation of the Township Engineer, the Township desires to enter into such easement agreement for the aforementioned purposes, subject to the terms and conditions set forth in the contract for the permanent easement, which a copy of same shall be placed on file with the Township Clerk.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey that the Township shall execute and enter into the aforementioned permanent easement agreement with Summit Lake for Block 79, Lots 63, 64 and 66, pursuant to the terms and conditions as stated in the aforementioned easement agreement, which a copy of same shall be placed on file with the Township Clerk; and

**BE IT FURTHER RESOLVED** that the Township makes no representations as to the extent of ownership as to the properties, specifically and including Block 79, Lot 64, and Summit Lake proceeds; and

**BE IT FURTHER RESOLVED** that the Township shall be held harmless for any injuries or claims from the use of such property by the Summit Lake Club.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

TOWNSHIP OF HARDYSTON  
COUNTY OF SUSSEX  
STATE OF NEW JERSEY

\_\_\_\_\_  
Jane Bakalarczyk, Clerk

\_\_\_\_\_  
Carl Miller, Mayor

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

**NOTICE**

**PLEASE TAKE NOTICE** that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on August 21, 2012. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on September 18, 2012, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

**BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
HARDYSTON.**

**JANE BAKALARCZYK, RMC/CMC  
TOWNSHIP CLERK**