

GAIL H. FRASER, L.L.C.
ATTORNEY AT LAW

GAIL H. FRASER

213 STANHOPE ROAD
SPARTA, NEW JERSEY 07871

TEL. (973) 726-9378
FAX (973) 726-4184

MAILING ADDRESS:
P.O. Box 1074
SPARTA, NEW JERSEY 07871-1074

gfraser@fraserlawoffice.com

August 3, 2020

Via Email to bmurray@co.morris.nj.us

Barbara Murray, Open Space Program Coordinator
MORRIS COUNTY OFFICE OF PLANNING & PRESERVATION
30 Schuyler Place
P.O. Box 900
Morristown, NJ 07963

Re: Morris County Open Space Trust Fund
Borough of Morris Plains – 2020 Application
3.290 Acre Portion of Lot 48 in Block 63, Borough of Morris Plains

Dear Ms. Murray:

I serve as the Borough Attorney for the Borough of Morris Plains. This correspondence and its enclosures are submitted in response to your July 24, 2020 email identifying the following outstanding items which must be addressed before the Borough's Open Space Application may be deemed complete:

1. Existing property survey, if available. A digital copy of a survey of the existing property is enclosed.
2. Elaborate on the asphalt path on the sewer easement. The Borough of Morris Plains and the Trinity Evangelical Lutheran Church worked together to create the asphalt path for the use of the people of Morris Plains. That use will continue if the property is preserved.
3. Provide a copy of the 25 foot wide sewer easement. A pdf copy of the 25-foot wide sanitary sewer easement from the Trinity Evangelical Lutheran Church to the Borough of Morris Plains, dated July 6, 1972 and recorded on August 8, 1972 in the Morris County Clerk's Office in Book 2222 at Page 14 is enclosed.
4. Status of negotiations. The church congregation voted on August 2, 2020 to accept the Borough's offer to purchase the property for its appraised value of \$215,000.00. The parties now have a verbal agreement and will be negotiating the terms and conditions of a written contract for the purchase of the property with a closing to occur in December 2020.
5. Digital copies of proposed acquisition and remainder Lot 48. Digital copies of the proposed acquisition (proposed Lot 48.04 in Block 63) and remainder Lot 48 in Block 63 are enclosed.
6. Provide separate written Development Potential Report. The Municipal Engineer Report dated June 29, 2020 prepared, signed and sealed by Leon C. Hall, P.E., of Anderson &

Ms. Barbara Murray
August 3, 2020
Page 2 of 2

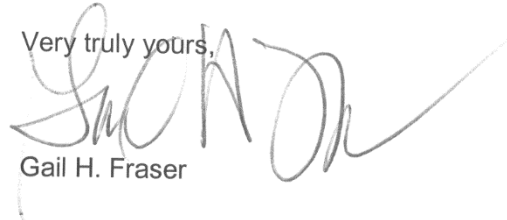
Denzler regarding the development potential of the property is enclosed. A copy of Leon Hall, P.E.'s report was included in the Appraisal Report submitted with the Borough's original application.

7. Submit Resolution authorizing submission of the application. A copy of Resolution No. 2020-107 adopted by the Borough Council on July 16, 2020 is enclosed.
8. Submit minutes of July 16, 2020 public hearing on application. The excerpt of the minutes of the Borough Council meeting on July 16, 2020 relating to the public hearing on the Watnong Brook Greenway Project is enclosed.
9. Page 16, Property Owner Consent for Site Visit. The property owner's Consent for a Site Visit is enclosed.

If you require anything further, please do not hesitate to contact me.

Thank you for your consideration.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Gail H. Fraser', with a long, sweeping horizontal line extending to the right.

Gail H. Fraser

GHF:omo

Encs.

cc: Mayor & Council
Rosanne Denman, Acting Clerk