

Caitlin Stewart

From: Matthew Howard <mhoward@twp.howell.nj.us>
Sent: Friday, August 31, 2018 8:59 AM
To: Donna Belton
Cc: Jim Herrman
Subject: FW: OPRA 18-1088
Attachments: 18-1088.pdf; Aldrich Woods Conservation Easement.pdf; C-381-Aldrich Woods (The Pointe at Howell)-SD-2784.pdf

Donna,

I have attached a copy of the filed map which has a note on it regarding the Conservation Easement. I also provided a cut out of that note for easier reading. This answers the question regarding the limitations and restrictions of the Conservation Easement.

Thank you.

Matthew R. Howard, PSM
Land Use Director

Township of Howell
4567 Route 9 North, 2nd Floor
Howell, NJ 07731
P: 732-938-4500 x2334

From: Jim Herrman
Sent: Thursday, August 30, 2018 2:19 PM
To: Matthew Howard
Subject: FW: OPRA 18-1088

From: Donna Belton
Sent: Thursday, August 30, 2018 12:28 PM
To: Tom Savino <tsavino@twp.howell.nj.us>; Eileen Rubano <erubano@twp.howell.nj.us>
Cc: Brian Geoghegan <bgeoghegan@twp.howell.nj.us>; Jim Herrman <jherrman@twp.howell.nj.us>
Subject: OPRA 18-1088

Good Afternoon,

Attached please find OPRA 18-1088 for your review. Please forward your findings to me no later than 9/10/2018.

Thank you.

Regards,

Donna Belton

**Administrative Assistant
Clerk's Office
4567 Route 9 North
Howell, NJ 07731
732-938-4500, ext. 2000
dbelton@twp.howell.nj.us**

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Donna Belton

18-1088

From: noreply@civicplus.com
Sent: Thursday, August 30, 2018 12:20 PM
To: clerkforms
Subject: Online Form Submittal: OPRA Request

OPRA Request

Requestor Information - Please Print

First Name	
Middle Initial	Field not completed.
Last Name	Presser
E-mail Address	
Address1	
City	
State	
Zip	
Telephone	
Fax	Field not completed.
Preferred Delivery	Pick Up
If you are requesting records containing personal information, please select one: Under penalty of N.J.S.A. 2C:28-3, I certify that I	Field not completed.
Signature	
Date and Time	8/30/2018 12:15 PM
Payment Information	
Maximum Authorization Cost	\$5.00

TOWNSHIP OF HOWELL
RECEIVED
2018 AUG 30 P 12:23
CLERK'S OFFICE

Select Payment Method Cash

Record Request Information

Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

I am trying to obtain the terms and conditions of a Conservation Easement that runs behind the houses on the west side of Freedom Court (Block 35.06, Lots 40.17 through 40.09). I believe that the Conservation Easement was created around the time these houses in the Ardena Acres development were built, around 2003, or sometime prior thereto.

Field not completed.

Please set forth your interest in the subject matter contained in the requested material:

I am seeking to determine the specific restrictions imposed by the terms and conditions of the Conservation Easement.

Email not displaying correctly? [View it in your browser.](#)

CONSERVATION EASEMENT:

THE GRANTEE HEREIN AND ITS HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS, ASSIGNS, AND ALL SUBSEQUENT OWNERS AND ENCUMBRANCERS, TENANTS, AND SUB-TENANTS SHALL BE REQUIRED TO MAINTAIN IN PERPETUITY SUCH CONSERVATION EASEMENT (DEED RESTRICTION AREAS) AS DEPICTED ON THIS FINAL SUBDIVISION PLAT IN ITS NATURAL STATE IN THE FORM OF OPEN-GREEN SPACE LAND AND SHALL BE PROHIBITED FROM REMOVING ANY VEGETATION, TREES AND GROUND COVER THEREON AND/OR ALTERING THE CONTOUR, TOPOGRAPHY OR COMPOSITION OF THE LAND WITHIN THE CONSERVATION EASEMENT AND SHALL BE FURTHER PROHIBITED FROM CLEARING THIS SPACE AND/OR FROM MAKING ANY IMPROVEMENTS ON THIS SPACE, INCLUDING BUT NOT LIMITED TO CONSTRUCTION OF BUILDINGS, SHEDS, SWIMMING POOLS, TENNIS COURTS, AND/OR OTHER USES.

THE EASEMENT SHALL ALSO PROHIBIT FILLING OR GRADING OF THE LANDS OR THE DISPOSAL OF REFUSE OR WASTE MATERIAL OF ANY TYPE WITHIN THE LIMITS OF THE EASEMENT. THIS COVENANT IS INTENDED TO RUN WITH THE LAND BINDING SUBSEQUENT GRANTEES IN EACH INDIVIDUAL LOT OF THE SUBDIVISION, AND THIS COVENANT SHALL BE INSERTED IN ALL SUBSEQUENT DEEDS AS IT IS INTENDED TO BENEFIT ALL LOTS OF THE SUBDIVISION MAKING EACH SUBSEQUENT OWNER OF THE INDIVIDUAL LOTS SUBSEQUENT TO ITS PROVISIONS, AND GRANTING TO EACH SUBSEQUENT OWNER OF THE INDIVIDUAL LOTS BENEFITS THEREOF. MAINTENANCE OF SAID CONSERVATION EASEMENT SHALL BE THE RESPONSIBILITY OF THE GRANTEE HEREIN AND OF EACH SUBSEQUENT GRANTEE OF EACH INDIVIDUAL LOT OF THE SUBDIVISION. IN THE EVENT OF A FAILURE TO MAINTAIN SUCH CONSERVATION EASEMENT, THE REASONABLE COST OF SUCH MAINTENANCE BY THE TOWNSHIP OF HOWELL SHALL BE ASSESSED TO THE OWNER OF EACH LOT INVOLVED; SHALL BE CONSIDERED A TAX LIEN THEREON; AND SHALL BE ENFORCED AND COLLECTED BY THE TOWNSHIP OF HOWELL IN THE SAME MANNER AS OTHER REAL ESTATE TAXES AND ASSESSMENTS. IT IS THE INTENTION OF THE GRANTOR THAT IF ANY PROVISION OF THIS COVENANT SHALL BE JUDGED INVALID BY A COURT OF COMPETENT JURISDICTION, SUCH ORDER OR INDUCEMENT SHALL NOT EFFECT OR INVALIDATE THE REMAINDER OF THE COVENANT, IT BEING INTENDED THAT THE CLAUSES OF THIS COVENANT ARE DECLARED TO BE SEVERABLE.

