

PREPARED BY:

M. Anthony Vaida
M. ANTHONY VAIDA, ESQ.**CONSERVATION EASEMENT**

THIS INDENTURE made this *29th* day of *July*, 1997, BETWEEN ANTHONY J. COLORAFI and BARBARA COLORAFI, whose address is 306 Mountain Road, New Providence, New Jersey 07974 hereinafter designated as the Grantor (the masculine singular is used throughout this instrument to refer to the grantor whether there may be one grantor or more, and whether or not the grantor may be a corporation), AND TOWNSHIP OF UNION, with offices located at 140 Perryville Road, Hampton, New Jersey 08827, the Grantee, hereinafter referred to as the Grantee.

WITNESSETH THAT the Grantor in order to comply with the applicable provisions of laws or ordinances, or for the purpose of providing and improving drainage on the premises owned by the Grantor, and for the purpose of preventing siltation of water courses and erosion of stream banks or conserving natural features of the land and to promote good conservation practice, or both, (and for no money paid by the Grantee to the Grantor) does by these presents grant and convey to the Grantee for the aforementioned purposes an easement over premises known as Block 22.01, Lots 23 and 24, Township of Union County of Hunterdon, State of New Jersey, more particularly described as set forth in Schedule A annexed hereto.

Said conservation easement shall consist of the right of entry upon such lands and premises by the Grantee for the purpose of performing all such work as is necessary to enhance or conserve the lands subject to the easement including, but not limited to, rechannelization of ditches or other watercourses, selective clearing of trees and shrubs and filling as necessary.

And the Grantor does hereby agree for himself, his heirs, successors and assigns, that they shall not hereafter excavate, fill construct, or make any alterations or plantings which shall interfere with the natural flow or free passage of any watercourse or drainage facility within the lands subject to this easement without the written consent or approval of the governing body of Union Township.

Additionally, the Grantor, his heirs, successors and assigns shall at all times maintain the area subject to this easement and further shall at all times comply with the following restrictions and requirements:

1. No trees, shrubs, or other vegetation shall be removed or destroyed on lands subject to the easement, except with approval of the Municipal Planner;
2. No topsoil, sand, gravel, or minerals shall be excavated or removed, except as may be required to build a pond, and then, only if the Grantee Engineer approves the design and structure of the pond, it being the intent to preserve the natural function of the flood plain.
3. No structures of any description shall be erected.
4. No fill of any kind shall be permitted, except as

after the Grantee Engineer approves the design.

- 5. No grading or storage of materials shall take place within the confines of the easement.
- 6. No disposal of refuse or waste materials of any type shall be permitted within the limits of this easement.
- 7. No trees, shrubs, fences or other such features shall be placed in the easement in such a way as to obstruct Grantee access and without prior approval of the Grantee Engineer.

The easements, rights, and powers hereby granted and conveyed to the Grantee may be granted and conveyed by the Grantee to any succeeding public corporation or entity.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if a corporation, has caused these presents to be executed by the Grantor's proper corporate officers the day and year first above written.

WITNESS

Deirdre E. Moore

Anthony J. Colorafi
Anthony J. Colorafi

Deirdre E. Moore

Barbara Colorafi
Barbara Colorafi

STATE OF NEW JERSEY, COUNTY OF SOMERSET :SS.

I CERTIFY that on July 29 1997, ANTHONY J. COLORAFI AND BARBARA COLORAFI personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person): (a) is named in and personally signed this Deed: (b) signed, sealed and delivered this Deed as his or her act and deed: and (c) made this Deed for less than \$100.00 as the full and actual consideration paid or to be paid for the transfer of title (Such consideration is defined in N.J.S.A. 46:15-5).

Deirdre E. Moore

RECORDED

JUL 31 12 35 PM '97

DEIRDRE E. MOORE
ATTORNEY AT LAW
OF THE STATE OF NEW JERSEY

HUNTERDON COUNTY
DORTHY K. TAPOK
CLERK

SCHEDULE A

Tax Map Reference. Municipality of Union Township, Block 22.01, Lots 23 and 24, Hunterdon County.

BEGINNING at a point, said point being the southeasterly corner of Block 22.01, Lot 24 at its intersection with the westerly sideline of Everett Road and running thence; (1) Along the westerly sideline of Everett Road South 06 degrees 04 minutes 42 seconds East 233.42 feet to a point, thence; (2) Across Block 22.01, Lot 23 South 83 degrees 55 minutes 18 seconds West 59.36 feet to a point, thence; (3) Still across the same North 78 degrees 20 minutes 44 seconds West 162.74 feet to a point, thence; (4) Along a common line between Block 22.01, Lot 23 and Block 22, Lot 7.02 North 04 degrees 57 minutes 01 seconds West 283.91 feet to a point, thence; (5) Across Block 22.01, Lot 24 North 83 degrees 55 minutes 18 seconds East 208.78 feet to a point, thence; (6) Along the westerly sideline of Everett Road South 06 degrees 04 minutes 42 seconds East 100.00 feet to the point and place of **BEGINNING**.

BEING the same Conservation Easement as shown on a certain map entitled: "Final Plat for Highland Ridge" prepared by Brokaw DeRiso Associates, Inc., dated April 25, 1996 and revised through December 19, 1996 and labeled as sheet 4 of 4, said map about to be filed in the Hunterdon County Clerk's Office.

BEING a portion of the same premises conveyed to Anthony J. Colorafi and Barbara Colorafi, his wife by deed from National Community Bank of New Jersey dated December 28, 1992, recorded on January 7, 1993 in Deed Book 1083 of Page 674.

All bearings being in accordance with New Jersey State Plane Coordinate System and the tract or parcel contains a calculated area of 1.534 acres of land, more or less, as surveyed by Richard S. Pelizzoni, P.E. and P.L.S., New Jersey License No. 27892 for Brokaw FG, formerly Brokaw DeRiso Associates, Inc.

Subject to a 40 foot wide Drainage Easement.

Subject to any easements or restrictions of record.

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