

**ORDINANCE NO. 15-13**

**ORDINANCE VACATING A PORTION OF MASON STREET, IN THE TOWNSHIP OF JEFFERSON, COUNTY OF MORRIS AND STATE OF NEW JERSEY**

**WHEREAS**, there exists in the Township of Jefferson a roadway known as Mason Street; and

**WHEREAS**, there has been a request to have the Township vacate a portion of said roadway, which portion is described in accordance with the description set forth in Schedule A, annexed hereto; and

**WHEREAS**, the matter has been referred to the Township Engineer who has recommended that the Township proceed with the vacation since the roadway is not needed by the Township; and

**WHEREAS**, the Jefferson Township Council does hereby determine that the aforementioned portion of the roadway as set forth in the description attached hereto as Schedule “A” is no longer needed for public purposes; and

**WHEREAS**, N.J.S.A. 40:67-19 authorizes the municipality to release and extinguish the public's rights arising from a dedication of a street.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Jefferson, Morris County, New Jersey, as follows:

**SECTION A**

1. The rights of the public and the Township of Jefferson in and to the portion of Mason Street as described in the attached Schedule “A” is hereby extinguished and vacated.

2. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time

and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

3. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Morris in accordance with the provisions of N.J.S.A. 40:67-21.

#### **SECTION B**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

#### **SECTION C**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION D**

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

COUNCIL OF THE TOWNSHIP  
OF JEFFERSON

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LORI HARVIN, CLERK

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RICHARD W. YOCUM, PRESIDENT

DATED: September 4, 2013  
ADOPTED: September 25, 2013

RUSSELL W. FELTER, MAYOR

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DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

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**SCHEDULE A**  
**PROPOSED ROAD VACATION**  
**A PORTION OF MASON STREET**  
**TOWNSHIP OF JEFFERSON, MORRIS COUNTY, NEW JERSEY**

BEING KNOWN AS A PORTION OF MASON STREET TO BE VACATED, FORMERLY RACCOON ROAD, AS SHOWN ON A CERTAIN MAP ENTITLED "WOODPORT SHORES OF LAKE HOPATCONG, JEFFERSON TOWNSHIP, MORRIS COUNTY, NEW JERSEY, MAP NO. 1, WEST SHORE SECTION" BY P.E. BOOMER, C.E., DATED FEBRUARY 1929, AND WHICH MAP WAS FILED IN THE MORRIS COUNTY CLERK'S OFFICE AS FILED MAP NO 848, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHEASTERLY SIDELINE OF PROSPECT POINT ROAD, (FORMERLY RACCOON ROAD), HAVING VARIOUS WIDTHS SAID POINT BEING THE INTERSECTION FORMED WITH SAID PROSPECT POINT ROAD AND THE SOUTH EASTERLY SIDELINE OF MASON STREET (FORMERLY RACCOON ROAD) 33' WIDE RIGHT-OF-WAY, AND RUNNING THENCE.

1. LEAVING SAID SOUTHEASTERLY SIDELINE OF PROSPECT POINT ROAD AND ALONG THE EASTERLY SIDELINE OF SAID MASON STREET, SOUTH 06 DEGREES 12 MINUTES 00 SECONDS WEST, 272.20 FEET TO A POINT ON THE NORTHERLY SIDELINE OF MASON STREET, (FORMERLY SIOUX TRAIL), 33 FEET IN WIDTH, THENCE.
2. RUNNING ALONG SAID SIDELINE OF MASON STREET (FORMERLY SIOUX TRAIL). NORTH 44 DEGREES 26 MINUTES 36 SECONDS, 42.68 FEET TO A POINT OF INTERSECTION WITH SAID NORTHERLY SIDELINE OF MASON STREET, (FORMERLY SIOUX TRAIL) AND THE WESTERLY SIDELINE OF SAID MASON STREET, (FORMERLY RACCOON ROAD), THENCE.
3. RUNNING ALONG THE EASTERLY SIDE LINE OF TAX LOT 1, IN TAX BLOCK 94.02 AND THE WESTERLY SIDE LINE OF SAID MASON STREET (FORMERLY RACCOON ROAD), NORTH 06 DEGREES 12 MINUTES 00 SECONDS 180.92 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY SIDELINE OF MASON STREET AND THE SOUTHEASTERLY SIDELINE OF PROSPECT POINT ROAD, THENCE.
4. RUNNING ALONG THE SOUTHEASTERLY SIDELINE OF PROSPECT POINT ROAD NORTH 33 DEGREES 24 MINUTES 00 SECONDS, 72.20 FEET TO THE POINT AND PLACE OF BEGINNING

CONTAINING 7,476.41 SQUARE FEET OR 0.1716 ACRES.

PREPARED BY CHARLES P. BROZUSKI, N.J. P.L.S. LIC. NO. 33520