

ORDINANCE NO. 18-13

**ORDINANCE VACATING A PORTION OF HILL 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 Hill 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, but to retain an easement for future utilities; 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; and

WHEREAS, the Township is desirous of retaining a utility easement over the portion being vacated, which retention of the utility easement is described in accordance with the description set forth in Schedule “B” attached hereto.

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

Hill Street as described in the attached Schedule "A" is hereby extinguished and vacated, subject to retention by the Township of Jefferson of a utility easement set forth in Schedule "B" attached hereto and made a part hereof.

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

LORI HARVIN, CLERK

MICHAEL J. SANCHELLI, VICE PRESIDENT

INTRODUCED: November 13, 2013

ADOPTED: December 4, 2013

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

CERTIFICATION

I, LORI HARVIN, Clerk of the Township of Jefferson, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Jefferson Council on the ____ day of _____, 2013.

LORI HARVIN, Clerk
Township of Jefferson

SCHEDULE A

Attached Description of Vacated Portion Of Hill Street, Township of Jefferson, Morris County, New Jersey

Beginning at a point, said point being the intersection of the northeasterly line of New Jersey State Highway Route 181, 66 feet wide, and the northwesterly line of Hill Street, 35 feet wide, unimproved, said point being the southerly corner of Lot 15 Block 1 as shown on a map entitled "Map of Building Sites in Woodport Park, Owned by the Lake Hopatcong Development Company, Lake Hopatcong Development Company, Lake Hopatcong, Morris County, NJ" Dated February 1927 and filed in the Morris County Clerk's Office on March 30, 1928 as map no. 808, from beginning point running thence:

1. Along said northwesterly line of Hill Street, to be vacated, North 57 degrees 00 minutes 00 seconds East, a distance of 348.96 feet to the northwesterly intersection of Hill Street and Abbott Drive, thence
2. Leaving said northwesterly intersection, South 34 degrees 12 minutes 36 seconds East, a distance of 35.01 feet to a stone monument found in the southeasterly intersection of Hill Street and Abbott Drive, thence
3. Along the southeasterly line of Hill Street, South 57 degrees 00 minutes 00 seconds West, a distance of 337.82 feet to a stone monument found in said northeasterly line of New Jersey State Highway Route 181, thence
4. Along said northeasterly line of New Jersey State Highway Route 181 North 51 degrees 45 minutes 00 seconds West, a distance of 36.96 feet to the Point and Place of Beginning.

Containing 12,018.7 Square Feet (0.276 Acres)

Alfred A. Stewart, Jr. P.E.,P.L.S.

New Jersey Professional Engineer and Land Surveyor No. 24GB03588300

SCHEDULE B

Description of Utility Easement

Proposed 20' Wide Utility Easement Located Within Vacated Hill Street Township of Jefferson, Morris County, New Jersey

Beginning at a point in the northeasterly line of New Jersey State Highway Route 181, 66 feet wide, said point being South 51 degrees 45 minutes 00 seconds East, a distance of 7.92 feet from the southerly corner of Lot 15 Block 1 as shown on a map entitled "Map of Building Sites in Woodport Park, Owned by the Lake Hopatcong Development Company, Lake Hopatcong, Morris County, NJ" Dated February 1927 and filed in the Morris County Clerk's Office on March 30, 1928 as map no. 808, from beginning point running thence:

1. Leaving said northeasterly line of New Jersey State Highway Route 181, North 57 degrees 00 minutes 00 seconds East, a distance of 346.58 feet to a point in the southwesterly line of Abbott Drive, 35 feet wide, thence
2. Along said southwesterly line of Abbott Drive, South 34 degrees 12 minutes 36 seconds East, a distance of 20.00 feet to a point in the same, thence
3. Leaving said southwesterly line of Abbott Drive, South 57 degrees 00 minutes 00 seconds West, a distance of 340.21 feet to a point in said northeasterly line of New Jersey State Highway Route 181, thence
4. Along said northeasterly line of New Jersey State Highway Route 181 North 51 degrees 45 minutes 00 seconds West, a distance of 21.12 feet to the Point and Place of Beginning.

Containing 6,867.9 Square Feet (0.157 Acres)

Alfred A. Stewart, Jr. P.E., P.L.S.

New Jersey Professional Engineer and Land Surveyor No. 24GB03588300