

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO: 010 - 2024

**AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF BYRAM
TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN
PORTIONS OF THE STREETS AND ROADWAYS KNOWN AS DEER
TRAIL AND PARTRIDGE ROAD PURSUANT TO N.J.S.A. 40:49-6 AND
N.J.S.A. 40:67-21**

Purpose Statement: The purpose of this Ordinance is to vacate portions of the streets known as Deer Trail and Partridge Road and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

WHEREAS, it was found and determined by the Township Council of the Township of Byram that portions of the streets and roadways known as Deer Trail and Partridge Road are not needed for public use, and

WHEREAS, the Byram Planning Board adopted a Memorializing Resolution dated February 16, 2024, in case Z26-2023 for minor subdivision approval recommending these road vacations to create a better layout for both the lots and the Township Right-of-Way; and

WHEREAS, the Township Council of the Township of Byram hereby intends to vacate, release and extinguish portions of Deer Trail and Partridge Road as described herein and in the attached Schedule A, and

WHEREAS, the Mayor has recused on this Ordinance because the Ordinance relates to the Mayor's real property.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Byram as follows:

Section 1. Portions of Streets to Be Vacated. Any public rights as to the right-of-way of the following portions of Deer Trail and Partridge Road are hereby vacated except for all rights and privileges presently possessed by Public Utilities, as defined in R.S. 48:2-13, and any Cable Television Company as defined in the Cable Television Act, P.L. 1972, c. 186 (c.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the said area to be vacated:

THAT THE PORTIONS OF Deer Trail and Partridge Road in the Township of Byram that are hereby vacated are described by metes and bounds descriptions in attached Schedule A.

Section 2. Notice. After being introduced and having passed a first reading, this ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

At least ten (10) days prior to the time fixed for further consideration of this ordinance for final passage, a copy thereof, together with notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to the owner of Block 237, Lot 317 and to every person whose lands may be affected hereby so far as may be ascertained. The Township Clerk shall mail said notices in accordance with N.J.S.A. 40:49-6.

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

Section 3. Severability. If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any ordinance or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 4. Repealer.

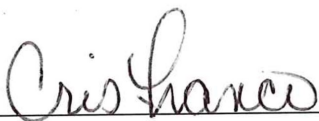
All existing Ordinances and/or parts thereof which are inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, repealed.

Section 5. Effective Date. This Ordinance shall take effect twenty (20) days after adoption and publication as prescribed by law.

BY ORDER OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM.

Introduced: May 21, 2024 Adopted: June 5, 2024


Cynthia Church, RMC
Township Clerk


Cris Franco
Deputy Mayor

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion		✓			
2nd			✓		
Yes	✓	✓	✓	✓	
No					
Abstain					STEP DOWN
Absent					

NOTICE OF ADOPTION

NOTICE is hereby given that Ordinance 010-2024 was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 21st day of May 2024. The said ordinance was further considered for final adoption at a meeting of the Township Council of The Township of Byram, held at the Byram Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 5th day of June at 7:30 p.m. at which time all persons were given the opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.

SCHEDULE A

Metes and bounds descriptions numbers 1 through 5 of the portions of Deer Trail and Partridge Road that are being vacated.

DARMSTATTER INC.

Legal Description Parcel 1

VACATION OF PORTION OF DEER TRAIL RIGHT-OF-WAY LOT 519

Beginning at the point being the following courses from the intersection of the southeasterly sideline of Partridge Road (30' Wide) with the southeasterly sideline of Carpenter Road (30' Wide). As shown on a map entitled "Property of The Lackawanna Country Club, Inc. Byram Township, Sussex County, New Jersey" Filed in the Sussex County register's office as Map No. 6A

- A) South 46 degrees 15 minutes 16 seconds East, a distance of 276.99 feet, thence;
- B) North 45 degrees 22 minutes 27 seconds East, a distance of 10.00 feet, thence;
- C) North 78 degrees 51 minutes 47 seconds East, a distance of 110.03 feet, to the point and place of beginning, thence;
 - 1) North 78 degrees 51 minutes 47 seconds East, a distance of 122.25, thence;
 - 2) South 48 degrees 16 minutes 28 seconds East, a distance of 18.82, thence;
 - 3) South 34 degrees 38 minutes 43 seconds East, a distance of 16.36, thence;
 - 4) South 78 degrees 51 minutes 47 seconds West, a distance of 140.14, thence;
 - 5) North 11 degrees 08 minutes 13 seconds West, a distance of 30.00 feet, to the point and place of beginning.

Coinciding with a map entitled "Subdivision Plan for Rubenstein" prepared by Darmstatter Inc. dated 10/04/2023, revised March 11, 2024.

Containing 3,972+-SF or 0.091+-Acres

DARMSTATTER INC.

Legal Description Parcel 2

VACATION OF PORTION OF DEER TRAIL RIGHT-OF-WAY LOT 521

Beginning at the point being the following courses from the intersection of the southeasterly sideline of Partridge Road (30' Wide) with the southeasterly sideline of Carpenter Road (30' Wide). As shown on a map entitled "Property of The Lackawanna Country Club, Inc. Byram Township, Sussex County, New Jersey" Filed in the Sussex County register's office as Map No. 6A

A) South 46 degrees 15 minutes 16 seconds East, a distance of 276.99 feet, to the point and place of beginning, thence;

1) North 45 degrees 22 minutes 27 seconds East, a distance of 10.00 feet, thence;

2) North 78 degrees 51 minutes 47 seconds East, a distance of 110.03 feet, thence;

3) South 11 degrees 08 minutes 13 seconds East, a distance of 30.00, thence;

4) South 78 degrees 51 minutes 47 seconds West, a distance of 101.00, thence;

5) South 45 degrees 22 minutes 34 seconds West, a distance of 0.97 feet, thence;

6) North 44 degrees 38 minutes 11 seconds West, a distance of 30.00 feet, to the point and place of beginning.

Coinciding with a map entitled "Subdivision Plan for Rubenstein" prepared by Darmstatter Inc. dated 10/04/2023, revised March 11, 2024.

Containing 3,330+-SF or 0.076+-Acres

DARMSTATTER INC.

Legal Description Parcel 3

VACATION OF PORTION OF DEER TRAIL RIGHT-OF-WAY LOT 522

Beginning at the point being the following courses from the intersection of the southeasterly sideline of Partridge Road (30' Wide) with the southeasterly sideline of Carpenter Road (30' Wide). As shown on a map entitled "Property of The Lackawanna Country Club, Inc. Byram Township, Sussex County, New Jersey" Filed in the Sussex County register's office as Map No. 6A

- A) South 46 degrees 15 minutes 16 seconds East, a distance of 276.99 feet, to the point and place of beginning, thence;
- 1) South 44 degrees 38 minutes 11 seconds East, a distance of 30.00 feet, thence;
 - 2) South 45 degrees 22 minutes 27 seconds West, a distance of 173.59 feet, thence;
 - 3) North 34 degrees 04 minutes 10 seconds West, a distance of 30.52, thence;
 - 4) North 45 degrees 22 minutes 27 seconds East, a distance of 167.99, to the point and place of beginning.

Coinciding with a map entitled "Subdivision Plan for Rubenstein" prepared by Darmstatter Inc. dated 10/04/2023, revised March 11, 2024.

Containing 5,124+-SF or 0.118+-Acres

DARMSTATTER INC.

Legal Description Parcel 4

VACATION OF PORTION PARTRIDGE ROAD RIGHT OF-WAY TO LOT 522

Beginning at the point being the following courses from the intersection of the southeasterly sideline of Partridge Road (30' Wide) with the southeasterly sideline of Carpenter Road (30' Wide). As shown on a map entitled "Property of The Lackawanna Country Club, Inc. Byram Township, Sussex County, New Jersey" Filed in the Sussex County register's office as Map No. 6A

A) South 07 degrees 47 minutes 35 seconds West, a distance of 219.69 feet, to the point and place of beginning;

1) South 62 degrees 52 minutes 43 seconds East, a distance of 82.85 feet, thence;

2) South 34 degrees 04 minutes 10 seconds East, a distance of 95.84 feet, thence;

3) South 45 degrees 22 minutes 27 seconds West, a distance of 31.36, thence;

4) North 42 degrees 09 minutes 02 seconds West, a distance of 155.03 feet, thence;

5) Along a curve to the right having a radius of 93.54 feet and an arch length of 24.34 feet, whose chord is North 02 degrees 31 minutes 30 seconds West, a distance of 24.27 feet, to the point and place of beginning.

Coinciding with a map entitled "Subdivision Plan for Rubenstein" prepared by Darmstatter Inc. dated 10/04/2023, revised March 11, 2024.

Containing 5,837+-SF or 0.134+-Acres

DARMSTATTER INC.

Legal Description Parcel 5

ACCESS EASEMENT TO BLOCK 234 LOT 1.04 ACROSS BLOCK 237 LOT 522

Beginning at the point being the following courses from the intersection of the southeasterly sideline of Partridge Road (30' Wide) with the southeasterly sideline of Carpenter Road (30' Wide). As shown on a map entitled "Property of The Lackawanna Country Club, Inc. Byram Township, Sussex County, New Jersey" Filed in the Sussex County register's office as Map No. 6A

A) South 07 degrees 47 minutes 35 seconds West, a distance of 219.69 feet, to the point and place of beginning;

B) Along a curve to the left having a radius of 93.54 feet and an arch length of 24.34 feet, whose chord is South 02 degrees 31 minutes 30 seconds East, a distance of 24.27 feet, thence;

C) South 42 degrees 09 minutes 02 seconds East, a distance of 103.08 feet, to the point and place of beginning, thence;

1) South 87 degrees 54 minutes 32 seconds East, a distance of 71.30 feet, thence;

2) South 45 degrees 22 minutes 27 seconds West, a distance of 51.13 feet, thence;

3) North 42 degrees 09 minutes 02 seconds West, a distance of 51.95, to the point and place of beginning.

Coinciding with a map entitled "Subdivision Plan for Rubenstein" prepared by Darmstatter Inc. dated 10/04/2023, revised March 11, 2024.

Containing 1,327+-SF or 0.030+-Acres