

ORDINANCE #2119-24

AN ORDINANCE VACATING A PORTION OF FACTORY LANE

WHEREAS, a certain portion of Factory Lane was previously determined to be needed for public use and a 40 foot wide public right-of-way was dedicated at DB 1271, Page 217 and DB 1424, Page 456; and

WHEREAS, a certain portion of Factory Lane is no longer needed for public use; and

WHEREAS, the portion of Factory Lane to be vacated is more particularly described herein; and

WHEREAS, the portion of Factory Lane to be vacated now encumbers part of Lot 2 in Block 351,

WHEREAS, the owners of the aforesaid lots have requested the Mayor and Council of the Borough of Middlesex to vacate the rights of the public in and to that portion of the public right-of way aforesaid which crosses Lot 2 in Block 351;

WHEREAS, the Mayor and Counsel of the Borough of Middlesex have reviewed the request for a vacation of a portion of the public right-of-way aforesaid and have determined that the portion of the public right-of-way which traverses the stated lots is no longer needed for public use and the public rights in and to the aforesaid public right-of-way can be vacated.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey as follows:

1. The Code of the Borough of Middlesex pertaining to the dedication of streets and roads is hereby amended to vacate and abandon the public right-of-way in and to that portion of a certain public right-of-way traversing Lot 2 in Block 351 as shown on the tax maps of the Borough of Middlesex.
2. The area of the public right-of-way to be vacated and abandoned is described in accordance with the sketch and metes and bounds description of the same prepared by Michael T. Armstrong, P.L.S., New Jersey License # 35820, dated June 21, 2021 and more particularly described. A copy of this Sketch and Description are attached hereto and made a part hereof.
3. All rights and privileges presently possessed by public utilities, as defined in N.J.S. 48:213 and by any cable television company, as defined in the Cable Television Act, N.J.S. 48:5A-1, et seq., are expressly reserved and excepted from the vacation of that portion of the public right-of-way there are no easements passing over, under or through the portion of Factory Lane so described, all in accordance with N.J.S. 40:67-1b.
4. A notice of Intention to vacate a portion of the public right-of-way aforesaid and to adopt an ordinance to effect such street vacation shall be published in the official newspaper of the Borough of Middlesex and mailed notice given to all persons whose lands would

be affected by the passage of such Ordinance, of the time, date and place of public hearing on the consideration of this street vacation ordinance, within the time provided by N.J.S. 40:49-6.

5. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

Linda Chismar, Municipal Clerk

Jack Mikolajczyk, Mayor

INTRODUCED: 05/14/2024

DATE OF PUBLICATION:
OF INTRODUCTION May 17, 2024

ADOPTED: May 28, 2024

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