




Morris County Recording Cover Sheet



Honorable Ann F. Grossi, Esq.
Morris County Clerk

MORRIS COUNTY, NEW JERSEY
ANN F. GROSSI, COUNTY CLERK
MUNORD-DR BOOK 24750 PG 1833
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<i>Official Use Only - Realty Transfer Fee</i>		<i>Official Use Only - Barcode</i>	
Date of Document: April 8, 2024	Type of Document: Ordinance No. 07-24		
First Party Name: Township of Roxbury, a Municipal Corporation of the State of New Jersey	Second Party Name: Township of Roxbury, a Municipal Corporation of the State of New Jersey		
Additional Parties:			

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
Block:	Lot:
Municipality: Township of Roxbury	
Consideration:	
Mailing Address of Grantee: Township of Roxbury, 1715 Route 46, Ledgewood, NJ, 07852	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOK & PAGE INFORMATION FOR AN ASSIGNMENT, RELEASE, OR SATISFACTION OF A MORTGAGE OR AN AGREEMENT RESPECTING A MORTGAGE	
Original Book:	Original Page:

MORRIS COUNTY RECORDING COVER SHEET

Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.

WARNING: Information contained on the Recording Cover Sheet must exactly match the information within the attached document or the document will be rejected and returned.

ORDINANCE NO. 07-24

AN ORDINANCE TO VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A 15' WIDE DRAINAGE EASEMENT THROUGH BLOCK 1202, LOTS 2, 3, 4, 5, 6, 7, 8, AND 9, CHURCHILL DRIVE AND A 10' WIDE DRAINAGE EASEMENT THROUGH BLOCK 1202, LOTS 16 AND 17, TOBY DRIVE, IN THE TOWNSHIP OF ROXBURY, COUNTY OF MORRIS AND STATE OF NEW JERSEY

WHEREAS, there exists in the Township of Roxbury (“Township”) a 15’ wide drainage easement through Block 1202, Lots 2, 3, 4, 5, 6, 7, 8, and 9, Churchill Drive and a 10’ wide drainage easement through Block 1202, Lots 16 and 17, Toby Drive, on the Township’s Official Tax Map; and

WHEREAS, the public necessity and general welfare of the inhabitants of the Township do not require that said drainage easement be maintained; and

WHEREAS, the Township Council of the Township of Roxbury, in the County of Morris and State of New Jersey is of the opinion that the public interest will be best served by vacating, releasing and extinguishing any and all public rights which the Township may have to said drainage easement as hereinafter described.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Roxbury, in the County of Morris and State of New Jersey, as follows:

Section 1. The public rights and interests of a drainage easement through Block 1202, Lots 2, 3, 4, 5, 6, 7, 8, and 9, Churchill Drive and Block 1202, Lots 16 and 17, Toby Drive, in the Township of Roxbury and more particularly described in Schedules “A through J” attached hereto and made a part hereof be and the same is hereby vacated and the public rights therein be and the same are hereby forever extinguished and the said lands referred to herein shall be unencumbered by said drainage easement as if said public rights had never existed.

Section 2. Any and all rights and privileges now possessed by public utilities as defined in R.S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 186 (N.J.S.A. 48:5A-1, et seq.), to maintain, repair and replace existing facilities in and adjacent to, over and under the easement or portions thereof, hereby vacated be and the same are hereby expressly reserved and excepted from said vacation.

Section 3. The Township Clerk shall, after the introduction and passage of this Ordinance on first reading, publish a copy of the Ordinance in the Township's official newspapers at least once and not less than ten (10) days prior to the time fixed for further consideration and passage pursuant to N.J.S.A. 40:49-6. The Township Clerk shall mail a copy of the Ordinance, along with a notice of its introduction, to the contiguous property owners as shown on the Tax Maps of the Township of Roxbury. Said notice shall be mailed by certified mail, return receipt requested and shall indicate the time and place when the Ordinance will be further considered for final passage by the Township Council.

Section 4. A notice of passage of this Ordinance shall be published by the Township Clerk in accordance with the requirements of N.J.S.A. 40:49-2.

Section 5. The Township Clerk shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy thereof under the seal of the Township of Roxbury, together with a copy of the publication thereof in the Office of the Clerk of Morris County.

Section 6. All ordinances of the Township of Roxbury which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

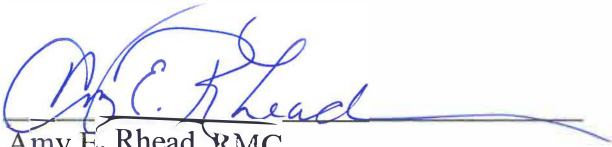
Section 7. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 8. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: February 13, 2024

ADOPTED: March 12, 2024

Attest:



Amy E. Rhead, RMC
Township Clerk

EFFECTIVE DATE: April 8, 2024

SCHEDULE 'A'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 9,
ALSO KNOWN AS 1 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 19 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Pleasant Hill Road and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 118.30 feet to the southerly line of Lot 18, Block 58-1; thence,
- 2) Along said southerly line, North 76 degrees 08 minutes 36 seconds East, 15.04 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 117.87 feet to the said northerly line of Pleasant Hill Road; thence,
- 4) Along said northerly line, South 74 degrees 32 minutes 06 seconds West, 15.07 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,771 square feet.

SCHEDULE 'B'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 8,
ALSO KNOWN AS 3 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 18 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 19 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 110.26 feet to the southerly line of Lot 17, Block 58-1; thence,
- 2) Along said southerly line, North 76 degrees 08 minutes 36 seconds East, 15.04 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 110.26 feet to the said northerly line of Lot 19; thence,
- 4) Along said northerly line, South 76 degrees 08 minutes 36 seconds West, 15.04 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,654 square feet.

SCHEDULE 'C'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 7,
ALSO KNOWN AS 5 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 17 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 18 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 114.07 feet to the southerly line of Lot 16, Block 58-1; thence,
- 2) Along said southerly line, North 78 degrees 16 minutes 16 seconds East, 15.01 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 113.51 feet to the said northerly line of Lot 18; thence,
- 4) Along said northerly line, South 76 degrees 08 minutes 36 seconds West, 15.04 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,707 square feet.

SCHEDULE 'D'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 6,
ALSO KNOWN AS 7 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 16 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 17 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 128.69 feet to the southerly line of Lot 15, Block 58-1; thence,
- 2) Along said southerly line, North 88 degrees 21 minutes 19 seconds East, 15.16 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 126.04 feet to the said northerly line of Lot 17; thence,
- 4) Along said northerly line, South 78 degrees 16 minutes 16 seconds West, 15.01 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,910 square feet.

SCHEDULE 'E'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 5,
ALSO KNOWN AS 9 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 15 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 16 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 111.49 feet to the southerly line of Lot 14, Block 58-1; thence,
- 2) Along said southerly line, North 88 degrees 30 minutes 34 seconds East, 15.16 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 111.45 feet to the said northerly line of Lot 16; thence,
- 4) Along said northerly line, South 88 degrees 21 minutes 19 seconds West, 15.16 feet; to the **Point of Beginning**.

The above described drainage easement contains 1,672 square feet.

SCHEDULE 'F'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 4,
ALSO KNOWN AS 11 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 14 as shown on a map entitled "*Map of Whitegate Estates, Section Five, Roxbury Township, Morris County, New Jersey,*" dated June 1, 1976, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office August 3, 1976 as Map No. 3493 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 15 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 111.19 feet to the southerly line of Lot 13, Block 58-1; thence,
- 2) Along said southerly line, North 88 degrees 30 minutes 34 seconds East, 15.16 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 111.19 feet to the said northerly line of Lot 15; thence,
- 4) Along said northerly line, South 88 degrees 30 minutes 34 seconds West, 15.16 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,668 square feet.

SCHEDULE 'G'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 3,
ALSO KNOWN AS 15 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 13 as shown on a map entitled "*Map of Whitegate Estates, Section Three, Roxbury Township, Morris County, New Jersey,*" dated August 19, 1975, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office September 22, 1975 as Map No. 3429 and being more particularly described as follows:

BEGINNING at the intersection of the southerly line of Lot 13 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 80.26 feet to the southerly line of Lot 12, Block 58-1; thence,
- 2) Along said southerly line, North 76 degrees 52 minutes 39 seconds East, 15.02 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 83.32 feet to the said southerly line of Lot 13; thence,
- 4) Along said southerly line, South 88 degrees 30 minutes 34 seconds West, 15.16 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,227 square feet. Being the same 15 ft drainage easement described in a deed between Franklin Estates and Thomas P. Taylor and Judith A. Taylor, husband and wife, and recorded September 17, 1976 in Deed Book 2379 Page 670 in the Morris County Clerk's Office.

SCHEDULE 'H'

DESCRIPTION OF AN EXISTING 15' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 2,
ALSO KNOWN AS 17 CHURCHILL DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 58-1 Lot 12 as shown on a map entitled "*Map of Whitegate Estates, Section Three, Roxbury Township, Morris County, New Jersey,*" dated August 19, 1975, prepared by O. Thomas DeLalla, Surveyor and filed in the Morris County Clerk's Office September 22, 1975 as Map No. 3429 and being more particularly described as follows:

BEGINNING at the intersection of the northerly line of Lot 13 Block 58-1 and the westerly line of said Block 58-1; thence,

- 1) Along the said westerly line, North 9 degrees 53 minutes 20 seconds West, 83.80 feet to the southerly line of Lot 11, Block 58-1; thence,
- 2) Along said southerly line, North 65 degrees 56 minutes 24 seconds East, 15.47 feet; thence,
- 3) South 9 degrees 53 minutes 20 seconds East, 86.74 feet to the said northerly line of Lot 13; thence,
- 4) Along said northerly line, South 76 degrees 52 minutes 39 seconds West, 15.02 feet; to the **Point of Beginning.**

The above described drainage easement contains 1,279 square feet. Being the same 15 ft drainage easement described in a deed between Franklin Estates and Raymond L. Costigan and Elaine B. Costigan, husband and wife, and recorded July 14, 1976 in Deed Book 2370 Page 594 in the Morris County Clerk's Office.

SCHEDULE 'I'

DESCRIPTION OF AN EXISTING 10' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 16
ALSO KNOWN AS 14 TOBY DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 2 Lot 8 as shown on a map entitled "*Hilton Acres, Roxbury Township, Morris County, New Jersey,*" dated April 28, 1962, and filed in the Morris County Clerk's Office September 6, 1963 as Map No. 2382 and being more particularly described as follows:

BEGINNING at the intersection of the easterly line of Toby Drive and the southerly line of Block 2 Lot 9; thence,

- 1) Along the said southerly line, North 79 degrees 23 minutes 20 seconds East, 150 feet to the easterly line of Block 2; thence,
- 2) Along said easterly line, South 10 degrees 36 minutes 40 seconds East, 10 feet; thence,
- 3) South 79 degrees 23 minutes 20 seconds West, 150 feet to the said easterly line of Toby Drive; thence,
- 4) Along said northerly line, North 10 degrees 36 minutes 40 seconds West, 10 feet; to the **Point of Beginning**.

The above described drainage easement contains 1,500 square feet.

SCHEDULE 'J'

DESCRIPTION OF AN EXISTING 10' WIDE DRAINAGE EASEMENT
TO BE VACATED THROUGH TAX BLOCK 1202 – TAX LOT 17
ALSO KNOWN AS 16 TOBY DRIVE
TOWNSHIP OF ROXBURY, MORRIS COUNTY, NEW JERSEY

A tract of land being a part of Block 2 Lot 9 as shown on a map entitled "*Hilton Acres, Roxbury Township, Morris County, New Jersey,*" dated April 28, 1962, and filed in the Morris County Clerk's Office September 6, 1963 as Map No. 2382 and being more particularly described as follows:

BEGINNING at the intersection of the easterly line of Toby Drive and the northerly line of Block 2 Lot 8; thence,

- 1) Along said easterly line, North 10 degrees 36 minutes 40 seconds West, 10 feet; thence,
- 2) North 79 degrees 23 minutes 20 seconds East, 150 feet to the easterly line of Block 2; thence,
- 3) Along the said easterly line of Block 2, South 10 degrees 36 minutes 40 seconds East, 10 feet to the said northerly line of Lot 8; thence,
- 4) Along said northerly line, South 79 degrees 23 minutes 20 seconds West, 150 feet, to the **Point of Beginning**.

The above described drainage easement contains 1,500 square feet.