

**TOWNSHIP OF SOUTHAMPTON**

**ORDINANCE 2024-10**

**AN ORDINANCE VACATING PAPER STREETS WITHIN THE  
SOUTHEASTERN PORTION OF THE TOWNSHIP**

**WHEREAS**, the Township of Southampton has from time to time, vacated portions of roadways which no longer serve a public use; and

**WHEREAS**, Lafayette Avenue, a paper street with a fifty (50) foot right-of-way, was designed to run from Magnolia Road (aka Ongs Hat Road) to N. Fire Lane Road, , but although envisioned, was never constructed and remains in its natural state; and

**WHEREAS**, Lincoln Avenue, another paper street bisects Lafayette Avenue, running from N. Fire Lane Road and terminates as Block 3802, Lot 11 on the Tax Map of the Township of Southampton; and

**WHEREAS**, it is the specific intention of this ordinance that no portion of Lincoln Avenue be vacated including at its intersection with Lafayette Avenue; and

**WHEREAS**, by operation of law, Lafayette Avenue shall divided with the portion of Lafayette between Lincoln Avenue and Ongs Hat Road being split where each adjacent property receives 25 feet of the right of way; and

**WHEREAS**, the remaining portion of Lafayette shall be incorporated in Block 3901, Lot 1 and Block 3903, Lot 1, both owned by the individual requesting vacation; and

**WHEREAS**, Washington Avenue, a paper street with a fifty (50) foot right-of-way, was designed to run from Magnolia Road (aka Ongs Hat Road) to N. Fire Lane Road, , but although envisioned, like Lafayette Avenue was never constructed and it also remains in its natural state; and

**WHEREAS**, one owner owns all of the lands adjacent to the Washington Avenue resulting in Washington Avenue being equally incorporated into Block 3904, Lot 1 and 3905, Lot 1; and

**WHEREAS**, the property owner shall be responsible for consolidating the remaining lots for future development; and

**WHEREAS**, such a plan will result in two lots bisected by Lincoln Avenue; and

**WHEREAS**, the Township Committee believes it is in the best interest of the adjacent property owner to vacate Lafayette and Washington Avenues; and

**WHEREAS**, this vacation will not land lock any other parcel; and

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Township Committee of the Township of Southamton, County of Burlington and State of New Jersey, that:

1. The Township Committee of the Township of Southamton hereby vacates the Lafayette and Washington Avenues to the adjacent property owners and as reflected on the portion on the Tax Map attached hereto and incorporated herein.
2. The public rights, interests and obligations of the aforementioned paper street are hereby vacated, abandoned and released.
3. The property described herein and vacated by this Ordinance shall split evenly with 50 feet to be added to and become part of the adjoining properties only.
4. Lincoln Avenue shall not be vacated and the intersection of Lafayette and Lincoln Avenues shall not be vacated.
5. In accordance with the provisions of N.J.S.A. 40:67-1, as amended by P.L. 1985, c.241, although none is believed to exist, there is hereby reserved from said vacation the rights of any public utility company or cable television company to maintain repair and replace any existing facilities located within the entire right-of-way of said road, together with the right of ingress and egress over and upon the same in order to carry out such purposes.
6. The Mayor, Township Manager/Clerk and Township Engineer are authorized to execute all documents necessary to effectuate the purpose of this Ordinance upon approval of those documents by the Township Solicitor.

**Section Two. Repealer, Severability and Effective Date.**

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**ACTION ON INTRODUCTION:**

Motion made by:  
Motion seconded by:

Baffery  
Rossett

**VOTE:**

Deputy Mayor Heston:	<u>Yes</u>	No	Abstain	Not Present
Committeewoman Rossell:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Raftery:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Young, Sr.:	<u>Yes</u>	No	Abstain	Not Present
Mayor Mikulski:	<u>Yes</u>	No	Abstain	Not Present

**ACTION ON ADOPTION (after public hearing)**

Motion made by: Raftery  
Motion seconded by: Rossell

**VOTE:**

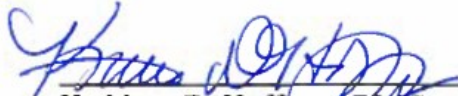
**TOWNSHIP COMMITTEE:**

Deputy Mayor Heston:	<u>Yes</u>	No	Abstain	Not Present
Committeewoman Rossell:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Raftery:	<u>Yes</u>	No	Abstain	Not Present
Committeeman Young, Sr.:	<u>Yes</u>	No	Abstain	Not Present
Mayor Mikulski:	<u>Yes</u>	No	Abstain	Not Present

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**CERTIFICATION**

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Southampton Township Committee held on March 19, 2024 and adopted after a public hearing at a meeting of the Southampton Township Committee held on April 16, 2024.

  
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Kathleen D. Hoffman, RMC  
Township Clerk/Administrator

