

**ORDINANCE NO. 2023 -38**

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
PROVIDING FOR THE VACATION OF A PORTION OF  
CERTAIN RIGHT-OF-WAY KNOWN AS WASHINGTON  
AVENUE FORMERLY WEST ROAD, LOCATED WITHIN  
STAFFORD TOWNSHIP, OCEAN COUNTY, NEW  
JERSEY.**

**WHEREAS**, the Township Council of the Township of Stafford, County of Ocean, State of New Jersey, (hereinafter referred to as the “Township”) is of the opinion that certain public interest would best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a right-of-way and/or paper street location with a portion of Stafford Township, Ocean County, New Jersey, known on the Tax Map as a portion of Washington Avenue formerly West Road of the Township. A complete legal description of the property is attached hereto and labeled as Exhibit “A”; and

**WHEREAS**, N.J.S.A. 40:67-19 authorizes a municipality by ordinance to release and extinguish the public’s rights arising from a dedication of a roadway; and

**WHEREAS**, the Township Council of the Township of Stafford, County of Ocean, State of New Jersey, is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a rights-of-way and/or paper street known as part of Washington Avenue formerly West Road of the Township as shown on Exhibit “A”; and

**WHEREAS**, Colliers Engineering and Design for the Township have prepared the attached metes and bound description of the area to be vacated dated October 23, 2023, which includes “Right of Way Exhibit” map, dated September 27, 2023.

**WHEREAS**, pursuant to N.J.S.A. 40:67-1(b), the Township Council must, by Ordinance, preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right-of-way to be vacated; and



Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

o: 732.363.0777  
f: 732.905.6555

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Township Council of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** The public rights and interests are hereby vacated with respect to the portion of the right-of-way and paper street as described in the metes and bounds description prepared by Colliers Engineering & Design (Exhibit A), dated September 27, 2023, copies of which are attached hereto and made a part hereof.

**SECTION 2.** Be it further ordained that all the rights of any and public utilities and/or cable television companies are hereby expressly reserved and excepted from this vacation.

**SECTION 3.** The vacated area described herein will be conveyed and consolidated with the adjoining parcels. This Vacation Ordinance shall be duly filed with the Ocean County Clerk's office in Toms River, New Jersey thereby remitting to each of the adjoining properties one-half of the area to be vacation.

**SECTION 4.** The Mayor and Township Administrator are hereby authorized to take such actions as are necessary to effectuate the purposes of this ordinance.

**SECTION 5.** Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 6.** Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 7.** Effective Date. This Ordinance shall take effect upon publication in the official newspaper of the Township, as required by and in conformance with law.

**r|m|s|h|c**

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**NOTICE**

Notice is hereby given that the foregoing ordinance was introduced and passed by the Township of Stafford Mayor and Township Council on the first reading at the regular meeting of the governing body of the Township of Stafford, County of Ocean, and State of New Jersey, held on October 24<sup>th</sup>, 2023 and that the ordinance will be considered for final passage at the meeting of said governing body to be held at the Municipal Building, 260 East Main Street, Manahawkin, New Jersey 08050 on the November 21, 2023 Township Council meeting at 7 P.M. or as soon thereafter as said matter may be reached, at which time and place any person desiring to be heard shall be given an opportunity to be so heard.

  
**SUSAN FARRELL, RMC**  
**TOWNSHIP CLERK**  
**TOWNSHIP OF STAFFORD**

Introduction: October 24, 2023

Gov. Body	Motion	Second	Yes	No	Abstain	Absent
Esposito			✓			
Henken			✓			
Krier	✓		✓			
Mower						✓
Otte		✓	✓			
Steadman			✓			
Myhre			✓			

Adoption: November 21, 2023

Gov. Body	Motion	Second	Yes	No	Abstain	Absent
Esposito			✓			
Henken			✓			
Krier		✓	✓			
Mower			✓			
Otte			✓			
Steadman	✓		✓			
Myhre			✓			

**r|m|s|h|c**  
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**CERTIFICATION**

I, **SUSAN FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Stafford Township Council at a meeting held on the **21<sup>st</sup>** day of **November, 2023**.



**SUSAN FARRELL, RMC  
STAFFORD TOWNSHIP  
MUNICIPAL CLERK**

**r|m|s|h|c**

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BLOCK 77  
LOT 1.06  
N/F MANAHAWKIN 2015, LLC  
DB 16110 PG 849

BLOCK 77  
LOT 1.04  
N/F MANAHAWKIN 2015, LLC  
DB 16110 PG 849

BLOCK 77  
LOT 1.03  
N/F MANAHAWKIN 2015, LLC  
DB 16110 PG 849

WASHINGTON AVENUE  
VARIABLE WIDTH R.O.W.

A PORTION OF WASHINGTON AVENUE  
(FORMERLY WEST ROAD)  
TO BE VACATED  
CONTAINING 18,354 S.F. OR 0.421 Ac.  
(HATCHED AREA)

R=34.00'  
L=45.94'  
 $\Delta=77^{\circ}25'17''$   
CHB=S 15°46'17" W  
CHD=42.53'

BLOCK 75  
LOT 2  
N/F JEDA NORTH LP  
DB 11228 PG 956

R=965.00'  
L=99.26'  
 $\Delta=5^{\circ}53'35''$   
CHB=S 55°37'43" W  
CHD=99.21'

BLOCK 77.01  
LOT 1  
N/F MANAHAWKIN 2015, LLC  
DB 11945 PG 1179

R=22.00'  
L=16.51'  
 $\Delta=42^{\circ}59'18''$   
CHB=S 80°04'10" W  
CHD=16.12'

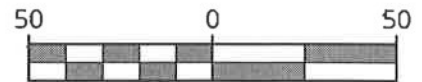
R=22.00'  
L=16.51'  
(MAP REF. 7.A.)

P.O.B.  
ROAD VACATION  
MON. FOUND  
1.9'  
0.1'

NEW JERSEY STATE HIGHWAY ROUTE NO. 72  
(VARIABLE WIDTH R.O.W.)

MAP REFERENCES:

- A. A MAP ENTITLED: "MAJOR SUBDIVISION, MANAHAWKIN VILLAGE, TAX MAP LOT 1.01, BLOCK 77, STAFFORD TOWNSHIP, OCEAN COUNTY, NEW JERSEY" PREPARED BY OWEN LITTLE & ASSOCIATES, INC., DATED JULY 29, 1993 AND LAST REVISED DECEMBER 7, 1993 AND BEING DULY FILED IN THE OCEAN COUNTY CLERKS OFFICE ON DECEMBER 13, 1993 AS MAP #G-2499.
- B. A MAP ENTITLED: "ALTA/NSPS LAND TITLE SURVEY FOR MANAHAWKIN COMMONS, BLOCK 77, LOTS 1.03, 1.04, 1.05, 1.06 & 1.20, BLOCK 77.01, LOT 1, TOWNSHIP OF STAFFORD, OCEAN COUNTY, NEW JERSEY" PREPARED BY COLLIER'S ENGINEERING & DESIGN, DATED SEPTEMBER 19, 2023.



SCALE : 1" = 50'



Engineering & Design

www.colliersengineering.com



Doing Business as

RIGHT OF WAY VACATION  
EXHIBIT  
FOR  
A PORTION OF  
WASHINGTON AVENUE

TOWNSHIP OF STAFFORD  
OCEAN COUNTY  
NEW JERSEY



PROTECT YOURSELF!  
ALL STATES REQUIRE NOTIFICATION  
OF EXCAVATORS, DESIGNERS, OR  
ANY PERSON PREPARING TO  
DISTURB THE EARTH'S SURFACE  
ANYWHERE IN ANY STATE.  
STATE REQUIRED FILE NUMBER  
FOR STATE SPECIFIC DIRECT PHONE NUMBERS  
VISIT: WWW.CALL811.COM



HOLMDEL (Headquarters)  
101 Crawford Corner Road,  
Suite 340J  
Holmdel, NJ 07733  
Phone: 732.385.1950  
COLLIERS ENGINEERING & DESIGN, INC.  
DOING BUSINESS AS MASER CONSULTING

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	9/27/23	HA	MRM
PROJECT NUMBER:	DRAWING NAME:		
15001294D	V-EXBT-WASH-VCTN		

SHEET TITLE:	FIELD BOOK:	PAGE:
RIGHT OF WAY VACATION EXHIBIT		
SHEET NUMBER:	1 of 1	

By: MMONROE  
20131510001294D:\Survey\Exhibits\V-EXBT-WASH-VCTN.dwg\V-01-EXHIBIT

**DESCRIPTION OF PROPERTY**  
**TOWNSHIP OF STAFFORD**  
**OCEAN COUNTY, NEW JERSEY**

**RIGHT-OF-WAY VACATION**  
**PART OF WASHINGTON AVENUE, FORMERLY WEST ROAD**  
**PROJECT NO. 15001294D**  
**SEPTEMBER 27, 2023**  
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All that certain lot, tract or parcel of land situate, lying and being in the Township of Stafford, in the County of Ocean and the State of New Jersey, and being a portion of Washington Road (formerly West Road) (variable width right of way) to be vacated, as shown on a map entitled "Right of Way Vacation Exhibit for a portion of Washington Avenue, Township of Stafford, Ocean County, New Jersey", prepared by Colliers Engineering & Design, dated September 27, 2023, the same also known as "Entrance Parcel Dedicated to Stafford Township" as shown on a map entitled: "Major Subdivision, "Manahawkin Village", Tax Map Lot 1.01, Block 77, Stafford Township, Ocean County, New Jersey", prepared by Owen Little & Associates, Inc., dated July 29, 1993 and revised through December 7, 1993, said map duly filed in the Ocean County Clerk's Office on December 13, 1993 as Map No. G-2499 and being more particularly bounded and described as follows:

**BEGINNING** at the intersection of the common line between Lot 2, Block 75 and Lot 1, Block 77.01, with the southwesterly right of way line of New Jersey State Highway Route No. 72, (variable width right of way), and running; thence -

1. **N 41°31'04" W, 28.53 feet**, along the southwesterly right of way line of the aforesaid Washington Avenue, to an arc connecting the southerly right of way line of the said Washington Avenue to the said southwesterly right of way line of the same; thence -
2. **SOUTHWESTWARDLY** along a non-tangent arc having a radius of **22.00 feet**; and curving to the left, an arc distance of **16.51 feet**, (Central Angle of 42°59'18"), said arc being connected by a chord bearing of **S 80°04'10" W** and a chord distance of **16.12 feet**, along the aforesaid connecting arc, to a point of tangency in the aforesaid southerly right of way line of Washington Avenue; thence -

The following four (4) courses running along the aforesaid southerly right of way line of the aforesaid Washington Avenue:

3. **S 58°34'31" W, 17.72 feet**, to a point of curvature; thence -
4. **SOUTHWESTWARDLY** along an arc having a radius of **965.00 feet**; and curving to the left, an arc distance of **99.26 feet**, (Central Angle of 05°53'35"), said arc being connected by a chord bearing of **S 55°37'43" W** and a chord distance of **99.21 feet**, to a point of compound curvature; thence -
5. **SOUTHWESTWARDLY** along a non-tangent arc having a radius of **34.00 feet**; and curving to the left, an arc distance of **45.94 feet**, (Central Angle of 77°25'17"), said arc being connected by a chord bearing of **S 15°46'17" W** and a chord distance of **42.53 feet**; to a point in the same; thence-



6. **S 58°34'31" W, 60.00 feet**, through a portion of the aforesaid Washington Avenue, to the westerly right of way line of said Washington Avenue; thence –
7. **N 31°25'29" W, 86.36 feet**, along the aforesaid westerly right of way line of Washington Avenue, to the northerly right of way line of the same; thence –

The following three (3) courses running along the aforesaid northerly right of way line of the aforesaid Washington Avenue:

8. **NORTHEASTWARDLY** along a non-tangent arc having a radius of **1,035.00 feet**; and curving to the right, an arc distance of **172.20 feet**; (Central Angle of 09°31'58"), said arc being connected by a chord bearing of **N 52°44'51" E** and a chord distance of **172.00 feet**; to a point of compound curvature; thence
9. **NORTHEASTWARDLY** along an arc having a radius of **60.00 feet**; and curving to the left, an arc distance of **63.86 feet**; (Central Angle of 60°59'09"), said arc being connected by a chord bearing of **N 27°01'16" E** and a chord distance of **60.89 feet**, to a point of tangency; thence–
10. **N 26°26'17" W, 57.52 feet**, to the aforesaid southwesterly right of way line of New Jersey State Highway Route No. 72; thence –
11. **S 31°25'29" E, 192.99 feet**, along the aforesaid southwesterly right of way line of New Jersey State Highway Route No. 72; to the Point and Place of **BEGINNING**.

**CONTAINING:** 18,354 square feet or 0.421 acres of land, more or less.

**SUBJECT TO:** to all easements, restrictions, reservations, agreements, covenants and rights of way of record.

The foregoing description was prepared by the undersigned surveyor for the firm of Colliers Engineering & Design and is based on the aforesaid Right-of-Way Vacation Exhibit.

October 23, 2023

\_\_\_\_\_  
**Eric V. Wilde, PLS**

New Jersey Professional Land Surveyor  
License Number GS43279

\_\_\_\_\_  
**Date:**