

ORDINANCE NO. 1-13

**ORDINANCE VACATING A PORTION OF “OLD HELLER’S
LANE” IN THE TOWNSHIP OF JEFFERSON, COUNTY
OF MORRIS AND STATE OF NEW JERSEY**

WHEREAS, there exists in the Township of Jefferson property known as “Heller’s Lane”; and

WHEREAS, there has been a request to have the Township vacate a portion of existing Heller’s Lane as described in accordance with Schedule “A” attached hereto (the “Properties”); and

WHEREAS, the matter has been referred to the Township Engineer who has recommended that the Township proceed with the vacation since the Properties are not needed by the Township; and

WHEREAS, the Jefferson Township Council does hereby determine that the aforementioned portions of the Properties as set forth in the description attached hereto as Schedule “A” are no longer needed for public purposes; and

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

WHEREAS, the property owner is dedicating certain property to the Township for the purpose of realigning Heller’s Lane.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jefferson, Morris County, New Jersey, as follows:

SECTION A

1. The rights of the public and the Township of Jefferson in and to the portions of the Properties as listed above and as more particularly described in Schedule “A” attached hereto are hereby extinguished and vacated.

2. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person

whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

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

SECTION B

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION C

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION D

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

COUNCIL OF THE TOWNSHIP
OF JEFFERSON

LORI HARVIN, CLERK

RICHARD W. YOCUM, PRESIDENT

DATED:

CERTIFICATION

I, LORI HARVIN, Clerk of the Township of Jefferson, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Jefferson Council on the ____ day of 2013.

LORI HARVIN, Clerk
Township of Jefferson

INTRODUCED:

ADOPTED:

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

SCHEDULE A
Road Vacation Description

BENCHMARK LAND SURVEYORS, INC.
*Professional Land Surveyors and
Planners*

*211 Espanong Road
Lake Hopatcong, New Jersey, 07849*



Tel. (973) 663-4242
FAX (973) 663-4469

Sept 29, 2012
File No.: JT-2102-04

**Road Vacation Description
Heller's Lane
Jefferson Township, Morris County, New Jersey**

Being known and designated as Hellers Lane as shown on a certain map entitled " MAJOR SUBDIVISION, TAX LOTS 11 & 12, TAX BLOCK 273.01, TAX LOTS 1, 2 & 3, TAX BLOCK 273.02, TOWNSHIP OF JEFFERSON, MORRIS COUNTY, NEW JERSEY", dated September 20, 2002, and revised through October 28, 2004 by Benchmark Land Surveyors, Inc.. Also shown on a map entitled "Boundary Survey of Lots 11 & 12 Block 273A, Lots 1 & 2 Block 273B, Township of Jefferson, Morris County, N.J. By Couvrette Associates, Inc., Dated March, 1987, and being more particularly described as follows:

BEGINNING at a point, said point being at the intersection of the easterly sideline of N.J. Route 15 South Bound, various widths, and the southwesterly sideline of Hellers Lane, 33 feet in width, and running thence;

1. Along said sideline of N.J. Route 15 South Bound North 17 degrees 08 minutes 00 seconds East 38.71 feet to a point, thence;
2. Leaving said sideline of N.J. Route 15 South Bound and along the northeasterly sideline of Hellers Lane South 41 degrees 21 minutes 00 seconds East 521.82 feet to a point, thence;
3. Still along said northeasterly sideline of Hellers Lane South 30 degrees 46 minutes 23 seconds East 274.08 feet to a point, thence;
4. Still along said northeasterly sideline of Hellers Lane South 23 degrees 44 minutes 27seconds East 264.25 feet to a point, thence;
5. Still along said northeasterly sideline of Hellers Lane along a curve to the left in a southerly direction having a radius of 114.41 feet an arc distance of 57.73 feet to a point in the southeasterly sideline of N.J. Route 15 North Bound, thence;
6. Along said sideline of N.J. Route 15 North Bound along a curve to the right in a southerly direction having a radius of 1,565.00 feet an arc distance of 18.55 feet to a point, thence;
7. Still along said sideline of N.J. Route 15 North Bound South 18 degrees 55 minutes 00 seconds West 17.36 feet to a point in the southwesterly sideline of Hellers Lane, thence;
8. Along said southwesterly sideline of Hellers Lane, along a curve to the right in a northerly direction having a radius of 147.40 feet an arc distance of 89.73 feet to a point of tangency, thence;
9. Still along said southwesterly sideline of Hellers Lane North 23 degrees 44 minutes 27 seconds West 262.23 feet to a point, thence;

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PG. 2

10. Still along said southwesterly sideline of Hellers Lane North 30 degrees 46 minutes 23 seconds West 269.00 feet to a point, thence;
11. Still along said southwesterly sideline of Hellers Lane North 41 degrees 21 minutes 00 seconds West 498.53 to the point and place of beginning,

Prepared by

A handwritten signature in black ink, appearing to read "Charles P. Brozanski". The signature is written over a horizontal line.

Charles P. Brozanski
Professional Land Surveyor
New Jersey License No. 33520