

ORDINANCE NO. 22-14

**ORDINANCE VACATING UNNAMED 8' FOOT PATHWAY
FROM CASTLE ROCK ROAD TO LAKE HOPATCONG IN
THE TOWNSHIP OF JEFFERSON, MORRIS COUNTY,
NEW JERSEY**

WHEREAS, there exists in the Township of Jefferson, Morris County, New Jersey, an unnamed path from Castle Rock Road to Lake Hopatcong, between Lot 1, Block 172 and Lot 2, Block 173 owned by the Township, as shown on the survey attached hereto as Schedule "A"; and

WHEREAS, there has been a request presented to the Jefferson Township Council by property owners of the said lots to have the 8' path vacated in order to allow them to use the path for a driveway to gain a permanent access to the rear of Lot 1; and

WHEREAS, the Township Engineer has reviewed the matter and has found that said path on Castle Rock Road does not contain any improvements or infrastructure of the Township of Jefferson and that said property is not needed by the Township for municipal purposes; and

WHEREAS, the Township Engineer further recommends that the Township proceed with the vacation of said property, as more fully described in Schedule "B" attached hereto; and

WHEREAS, the Jefferson Township Council does hereby determine that said path is not needed for municipal 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.

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

SECTION I

1. The rights of the public and the Township of Jefferson in and to the aforementioned 8' path are hereby extinguished and vacated in accordance with the description attached hereto as Schedule "B".
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 II

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

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 IV

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

**COUNCIL OF THE
TOWNSHIP OF JEFFERSON**

ATTEST:

Lori Harvin, Township Clerk

RICHARD W. YOCUM, President

INTRODUCED: November 12, 2014

ADOPTED: December 17, 2014

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

**SCHEDULE A
SURVEY**

SCHEDULE B

Legal Description

Vacation of an 8' wide Unnamed Path between Lots 1 and 1.02 in Block 172 and Lot 2 in Block 173.

Township of Jefferson-Morris County, NJ

Beginning at the intersection of the northwesterly line of Castle Rock Road with the southwesterly line of an 8' wide Unnamed Path and thence,

- 1. Along the southwesterly line of Lots 1 and 1.02 in Block 172, N. 35 degrees 08 minutes 00 seconds W. 231' more or less to the northwesterly line of Lands of the "Railroad" as shown on a map entitled "Map No. 1 of Property Belonging to the Castle Rock Park", filed in the Morris County Clerk's Office on 1/18/1889 as Map No. 146 (path goes only to southeasterly line of railroad on filed map, but goes to northwesterly line by adjoining deed & tax map) and thence,*
- 2. Along the northwesterly line of "Railroad" as shown on said map, in a northeasterly direction 8' more or less to a point in the southwesterly line of Lot 2 in Block 173 to a point and thence,*
- 3. Along the same, S. 35 degrees 08 minutes 00 seconds E. 229.53' to a point in the northwesterly line of Castle Rock Road and thence,*
- 4. Continuing along the same, S. 59 degrees 27 minutes 40 seconds W. 8.00' to the point or place of beginning.*

*Richard S. Zinn, NJLS
License #34888*

**SCHEDULE B
CONTINUED**

Ingress, Egress & Maintenance Easement over Lot 2 in Block 173 to accommodate an existing driveway to Lots 1 & 1.0-1 in Block 172 over the southerly portion of Lot 2 Township of Jefferson-Morris County, NJ

Beginning at the intersection of the northwesterly line of Castle Rock Road with the northeasterly line of an 8' wide Unnamed Path, said point also being the southwesterly corner of Lot 2 in Block 173, Lands N/F Edward P. & June M. Mulligan (Deed Book 22567 at Page 380) and thence,

- 5. Along the northeasterly line of the 8' wide path, N. 35 degrees 08 minutes 00 seconds W. 81.68 to a point and thence,*
- 6. Through Lot 2 in Block 173 and 1.00' northeasterly of the existing macadam driveway serving Lots 1 & 1.01 in Block 172, S. 47 degrees 40 minutes 23 seconds E. 17.29' to a point and thence,*
- 7. Along the same, S. 44 degrees 11 minutes 05 seconds E. 19.47' to a point and thence,*
- 8. S. 36 degrees 35 minutes 00 seconds E. 45.67 to a point in the northwesterly line of Castle Rock Road and thence,*
- 9. Along the same, S 55 degrees 27 minutes 40 seconds W. 7.97' to the point or place of beginning.*

Containing 470.59 square feet more or less

*Richard S. Zinn, NJLS
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