

RECORD AND RETURN TO: Lori Harvin, Township Clerk Township of Jefferson 1033 Weldon Road Lake Hopatcong, NJ 07849
---

**ORDINANCE NO. 12-11**

**ORDINANCE VACATING A PORTION OF ARIZONA  
AVENUE IN THE TOWNSHIP OF JEFFERSON, COUNTY  
OF MORRIS AND STATE OF NEW JERSEY**

**WHEREAS**, there exists in the Township of Jefferson a roadway known as Arizona Avenue, as described in accordance with Schedule “A” attached hereto; and

**WHEREAS**, there has been a request to have the Township vacate a portion of said roadway; and

**WHEREAS**, the Township wants to retain a 20-foot drainage Easement, as described in accordance with Schedule “B” attached hereto; and

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

**WHEREAS**, the Jefferson Township Council does hereby determine that the aforementioned portion of the roadway as set forth in the description attached hereto as Schedule “A” is no longer needed for public purposes, except for the Easement; 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 A**

1. The rights of the public and the Township of Jefferson in and to the portion of Arizona Avenue as described in the attached Schedule “A” is hereby extinguished and vacated, subject to the Township retaining an easement for drainage purposes 20 feet in width, which easement is described in accordance with Scheduled “B” attached hereto. The drainage easement shall allow the Township to

RECORD AND RETURN TO: Lori Harvin, Township Clerk Township of Jefferson 1033 Weldon Road Lake Hopatcong, NJ 07849
---

construct, repair and/or maintain drainage pipes over and under the ground, as well as appurtenance structures.

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.

RECORD AND RETURN TO:  
Lori Harvin, Township Clerk  
Township of Jefferson  
1033 Weldon Road  
Lake Hopatcong, NJ 07849

**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

INTRODUCED: May 11, 2011  
HEARING/ADOPTION: June 1, 2011

RUSSELL W. FELTER, MAYOR

\_\_\_\_\_  
DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

RECORD AND RETURN TO: Lori Harvin, Township Clerk Township of Jefferson 1033 Weldon Road Lake Hopatcong, NJ 07849
---

## SCHEDULE A

**Attached Description of Vacated Portion  
Of Arizona Avenue, Township of Jefferson, Morris County, New Jersey  
As Prepared by Benchmark Land Surveyors, Inc.  
And Dated May 9, 2011**

**Road Vacation  
A portion of Arizona Avenue to be Vacated  
Between Tax Blocks 73 & 77.02,  
Jefferson Township, Morris County, New Jersey**

Being a portion of Arizona Avenue, formerly Carolina Avenue and formerly Lakeside Avenue, as shown on the tax maps of the Township of Jefferson, Morris County, New Jersey, and as also shown on a certain map entitled "MAP OF BUILDING SITES OF THE PROSPECT POINT LAND IMPROVEMENT COMPANY OF LAKE HOPATCONG, MORRIS AND SUSSEX COUNTIES, NEW JERSEY", and which map was filed in the Morris County Clerk's office on January 25, 1917 as filed map no. 523, and being more particularly described as follows:

BEGINNING at a point in the southwesterly sideline of Arizona Avenue, 50 feet in width, said point being the intersection of the northeasterly corner of Tax Lot 1 in Tax Block 73 and the westerly sideline of Prospect Point Road, 50 feet in width, and running thence;

1. Along said sideline of Arizona Avenue and said Tax Lot 1 in Tax Block 73,  
North 67 degrees 39 minutes 00 seconds West, 200.00 feet to a point in the easterly sideline of Alabama Avenue, 25 feet in width and unimproved, thence;
2. Along a newly created line, North 22 degrees 21 minutes 00 seconds East, 50.00 feet, to a point on the northeasterly sideline of said Arizona Avenue, thence;
3. South 67 degrees 39 minutes 00 seconds East, 200.00 feet along the northeasterly sideline of said Arizona Avenue and in part along Tax Lot 3.01 Tax Block 77.02 to a point in the westerly sideline of said Prospect Point Road, thence;
4. Along said sideline of Prospect Point Road, South 22 degrees 21 minutes 00 seconds West, 50.00 feet to the point and place of BEGINNING.

CONTAINING 10,000.00 square feet or 0.2296 acres.

RECORD AND RETURN TO: Lori Harvin, Township Clerk Township of Jefferson 1033 Weldon Road Lake Hopatcong, NJ 07849
---

## SCHEDULE B

**Attached Description of Drainage Easement  
Of Arizona Avenue, Township of Jefferson, Morris County, New Jersey  
As Prepared by Benchmark Land Surveyors, Inc.  
And Dated April 8, 2011**

Being a portion of Tax Lot 1 in Tax Block 73 as shown on the tax maps of the Township of Jefferson, Morris County, New Jersey, said portion being a part of Arizona Avenue about to be vacated and to be used as a 20 foot wide drainage easement, and being more particularly described as follows:

BEGINNING at a point on the northwesterly sideline of Prospect Point Road, 50 feet in width, said point being North 22 degrees 21 minutes 00 seconds East, 6.00 feet from the intersection formed with the said northwesterly sideline of Prospect Point Road and the southwesterly sideline of Arizona Avenue, 50 feet in width, formerly Carolina Avenue and formerly Lakeside Avenue, said portion about to be vacated, and running thence;

1. Leaving said sideline of Prospect Point Road, and through a portion of Arizona Avenue, to be vacated, North 67 degrees 39 minutes 00 seconds West, 200.00 feet to a point in a newly created lot line of said Tax Lot 1, thence;
2. Along said line of Tax Lot 1, North 22 degrees 21 minutes 00 seconds East, 20.00 feet, to a point, thence;
3. South 67 degrees 39 minutes 00 seconds East, 200.00 feet through that portion of Arizona Avenue to be vacated to a point in the sideline of said Prospect Point Road, thence;
4. Along said sideline of Prospect Point Road, South 22 degrees 21 minutes 00 seconds West, 20.00 feet to the point and place of BEGINNING.

CONTAINING 4,000.00 square feet or 0.09184 acres.