

**TOWNSHIP OF JEFFERSON
COUNTY OF MORRIS, NEW JERSEY**

ORDINANCE #13-16

**“ORDINANCE VACATING RIGHT-OF-WAY ON THE NORTHEAST CORNER OF LOT 11, BLOCK 277.01,
IN THE TOWNSHIP OF JEFFERSON, NEW JERSEY”**

WHEREAS, there exists in the Township of Jefferson property known as 11 West Shawnee Trail, Wharton, New Jersey, also known as Lot 11, Block 277, owned by Scott Rixford; and

WHEREAS, the Township has a right-of-way across a portion of said property, which right-of-way is described in “Meets and Bounds Description – Right of Way Acquisition”, prepared by Morgan Engineering, LLC and dated June 23, 2016 and attached hereto; and

WHEREAS, there has been a request by Scott Rixford to have the Township vacate a right-of-way located on the northeast corner of said property, which is described in accordance with the description set forth in “Meets and Bounds Description – Right of Way Acquisition”, prepared by Morgan Engineering, LLC and dated June 23, 2016 and annexed hereto; and

WHEREAS, the matter has been referred to the Township Engineer who has recommended that the Township proceed with the vacation since the right-of-way is outdated and not needed by the Township; and

WHEREAS, the Jefferson Township Council does hereby determine that the aforementioned right-of-way as set forth in the description attached hereto as “Meets and Bounds Description – Right of Way Acquisition”, prepared by Morgan Engineering, LLC and dated June 23, 2016 is 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.

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 right-of-way as described in the attached “Meets and Bounds Description – Right of Way Acquisition”, prepared by Morgan Engineering, LLC and dated June 23, 2016 is 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.

**ORDINANCE 13-16
PAGE TWO**

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

MICHELE REILLY
Township Clerk

MICHAEL J. SANCHELLI
Council President

INTRODUCED: June 29, 2016
ADOPTED: July 20, 2016

RUSSELL W. FELTER, MAYOR

DATE AND TIME PRESENTED TO MAYOR FOR SIGNATURE:

CERTIFICATION

I, MICHELE REILLY, Clerk of the Township of Jefferson, do hereby certify that the foregoing Ordinance was duly adopted by the Township of Jefferson Council on the 20th day of July, 2016.

MICHELE REILLY, Township Clerk