

TOWNSHIP OF WATERFORD

ORDINANCE NO. 2016-4

ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF FOURTH STREET, IN THE TOWNSHIP OF WATERFORD, COUNTY OF CAMDEN, STATE OF NEW JERSEY

WHEREAS, the Mayor and Township Committee of the Township of Waterford are of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a portion of Fourth Street as set forth below; and

WHEREAS, N.J.S.A. 40:67-1b provides that a municipality may vacate any public street, highway, land or alley or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 provides that whenever there shall have been a dedication of lands as a public place and the same has not been accepted and opened by the municipality, the municipality by Ordinance may release, relinquish the public right arising from said dedication; and

NOW, THEREFORE, be it ordained by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey, as follows:

Section 1. The public rights and interest of a portion of Fourth Street more particularly described as follows is hereby vacated, abandoned and released:

SEE ATTACHED LEGAL DESCRIPTION WHICH IS INCORPORATED BY REFERENCE HEREIN

Section 2. The public rights, interest and obligations of the aforementioned property, more particularly described in Section 1 above, are hereby vacated, abandoned and released and the said public rights are released to the abutting property owners of the aforesaid street.

Section 3. The Township hereby expressly reserves and excepts from vacation all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the “Cable Television Act,” P.L. 1972, c.186, (N.J.S.A. 48:5A-1 et. seq.), and by the Township of Waterford for a 25 foot wide sanitary sewer easement to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, together with the right of ingress and egress over and upon the same in order to effectuate such purposes.

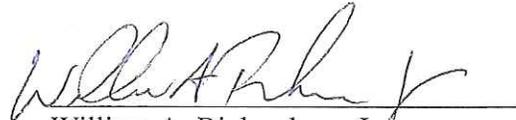
Section 4. The rights and privileges of the Township of Waterford, and any and all fire companies authorized by the Township of Waterford to perform fire protection services in the municipality, to install, maintain, repair, and replace any existing fire hydrants; and the right and privilege to make use of said fire hydrants, and to have access to and ingress to and egress from said fire hydrants, are hereby expressly reserved and excepted from this vacation.

Section 5. The Township Committee hereby directs the Township Clerk to file a copy of this Ordinance, certified under the seal of the municipality to be a true copy of said Ordinance, together with a copy of the proof of publication, with the Clerk of Camden County pursuant to the provisions of N.J.S.A. 49:67-21.

Section 6. All Ordinances or parts of Ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

Section 7. This Ordinance shall take effect immediately upon adoption and publication as required by law.


Debra L. Shaw-Blemings, RMC
TOWNSHIP CLERK


William A. Richardson, Jr.
MAYOR

Intro: February 24, 2016
Hearing: March 9, 2016
Adopted: March 9, 2016

Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Waterford at a regular meeting held on March 9, 2016.

Dated: March 9, 2016.


Debra L. Shaw-Blemings, RMC
TOWNSHIP CLERK

**Vacated Portion of Fourth Street
Waterford Township
Camden County, NJ**

ALL that certain tract or parcel of land and premises situate, lying and being in the Township of Waterford, County of Camden and State of New Jersey, more particularly described as follows: BEGINNING at the southwesterly corner of Bartram Avenue and Fourth Street which is also the northeasterly corner of Tax Map Lot 5 in Block 1608, now or formerly of Mark F. O'Hara and from said beginning point running:

1. North 62°18'45" East 60.00 feet along the southeasterly side of Bartram Avenue, 60 feet wide, to a point in the same, corner to Lot 1 in Block 1605; thence
2. South 27°41'15" East 210.00 feet along said Lot 1, to a point corner to the same and to Lot 14 in Block 1605, as well as the northeasterly corner of the remainder of Fourth Street; thence
3. Along the northwesterly end of the remainder of Fourth Street South 62°18'45" West 60.00 feet to the northwesterly corner of the same and to the common corner of aforesaid Lot 5 and Lot 6 in Block 1608; thence
4. North 27°41'15" West 210.00 feet along said Lot 5 to the point and place of beginning.

CONTAINING within said bounds 12,600 sq ft or 0.2899 Acres of land, be the same more or less.

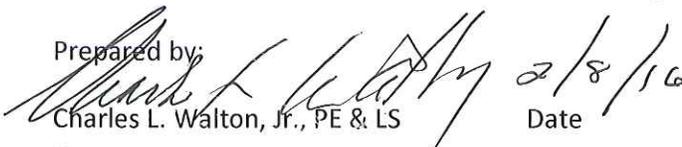
SUBJECT, HOWEVER, TO a 25 foot wide sanitary sewer easement to the Township of Waterford and/or the Waterford Township Municipal Utilities Authority described as follows:

BEGINNING at a point in the southeasterly line of Bartram Avenue, said point being North 62°18'45" East 17.50 feet from the aforesaid northeasterly corner of Lot 5 in Block 1608, and running:

1. North 62°18'45" East 25.00 feet along the southeasterly side of Bartram Avenue, 60 feet wide, to a point in the same; thence
2. South 27°41'15" East 210.00 feet to the northwesterly end of the remainder of Fourth Street; thence
3. South 62°18'45" West 25.00 feet along said northwesterly end of the remainder of Fourth Street; thence
4. North 27°41'15" West 210.00 feet to the point and place of beginning.

AFORESAID TRACT to be consolidated with Tax Map Lot 5 in Block 1608.

Prepared by:


Charles L. Walton, Jr., PE & LS

Date

New Jersey License 24GB01580000

ENVIRONMENTAL RESOLUTIONS, INC.

Project Number 46106