

**TOWNSHIP OF WATERFORD**

**ORDINANCE NO. 2023- 21**

**ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY  
AND ALL PUBLIC RIGHTS IN AND TO A LIMITED SECTION  
OF 4<sup>TH</sup> STREET**

**WHEREAS**, the Mayor and Township Committee of the Township of Waterford have determined that the public interest can best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in a portion of 4<sup>th</sup> Street as set forth hereinbelow; 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

**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 limited portion of 4<sup>th</sup> Street, more particularly described as follows, is hereby vacated, abandoned and released to the adjoining property owner of Block 1602, Lot 1 on the Official Tax Map of the Township of Waterford:

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 owner 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.), to install facilities or 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. The Township further expressly reserves and excepts from the vacation any present or future rights and privileges it possesses for installing, maintaining, repairing and replacing utility or other necessary easements in the vacated area.

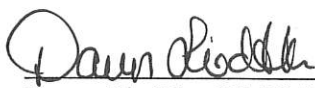
**Section 4.** The rights and privileges of the Township of Waterford, and any and all fire companies authorized by the Township of Waterford to perform fire protection services in the municipality, to install, maintain, repair, and replace any existing fire hydrants; and the right and privilege to make 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.

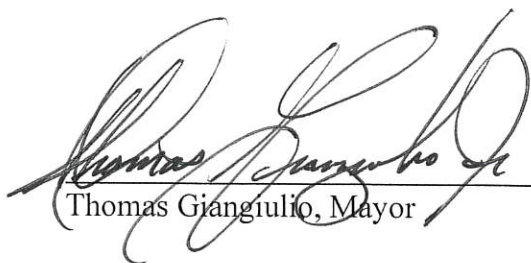
**Section 5.** The adjoining Property Owner shall amend its Deed to include the vacated property and acknowledge the reservation of rights in Sections 3 and 4 of this Ordinance.

**Section 6.** 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 7.** All Ordinances or parts of Ordinances which are inconsistent with the provisions hereof, are, to the extent of such inconsistencies, hereby repealed.

**Section 8.** This Ordinance shall take effect immediately upon adoption and publication as required by law.

  
\_\_\_\_\_  
Dawn Liedtka, RMC / CMR Clerk

  
\_\_\_\_\_  
Thomas Giangiulio, Mayor

Intro: September 13, 2023

Public Hearing: Sep. 27, 2023

Adopted: Sept. 27, 2023

UPON INTRODUCTION ON September 13, 2023					
	Jones-Freitag	Thompson	Wade	Yeatman	Giangiulio
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					
UPON ADOPTION ON September 27, 2023					
	Jones-Freitag	Thompson	Wade	Yeatman	Giangiulio
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

**CERTIFICATION**

I, Dawn Liedtka, Clerk of the Township of Waterford, Camden County, New Jersey, do hereby certify the foregoing to be true and exact copy of the Ordinance which was finally adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on the 27<sup>th</sup> day of Sept., 2023.

Dawn H. Liedtka  
Dawn Liedtka, RMC / CMR Clerk



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**ENVIRONMENTAL  
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*Engineers • Planners • Scientists • Surveyors*

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Deed Description  
Fourth Street  
Variable Width Road Vacation  
Waterford Township  
Resolution #2023-222  
ERI Project 43131-00

Lands N/F Township of Waterford  
September 12, 2023  
Fourth Street Vacation  
Township of Waterford  
Camden County

ALL THAT CERTAIN tract or parcel of land located on the northeasterly side of Fourth Street (Existing 60' Wide) in the Township of Waterford, County of Camden, State of New Jersey, bounded and described as follow:

BEGINNING at a point in the existing Northeasterly Right-of-Way line of Fourth Street (60 feet ROW) where it intersects the Southeasterly line of Atco Avenue (80 feet ROW), said point being a northwesterly corner of Tax Block 1602, Lot 1, lands now or formerly of Clayton Mansfield, LLC, having New Jersey State Plane Grid Coordinates NJSPCS NAD 83 (2011) of N: 342,810.00, E: 385,927.19, said point being marked by set rebar with cap; and from said point of beginning, running thence-

- 1) S28°45'47"E 448.00 feet, along the existing Northeasterly Right of Way line of Fourth Street to a point, said point being on the new northwesterly line Auburn Avenue as established with the vacation of a portion of Auburn Avenue as per Waterford Township resolution #2020-147 and by deed book 11860, page 1336 and deed book 12165, page 60, thence-
- 2) N54°33'51"W 45.95 feet, across the bed of Fourth Street to a point, thence-
- 3) N28°17'58"W 406.64 feet, across the same to a point, thence-
- 4) N61°14'13"E 16.71 feet, across the same to a point, said point being the first mentioned point and place of BEGINNING.

CONTAINING 7,877 Square Feet or 0.181 Acres of Land, more or less.

Subject to any zoning ordinances, easements, covenants, buffers, restrictions, and or agreements of record.

The above is intended to describe all that parcel shown as "Proposed Variable Width Road Vacation" on a plan titled "Fourth Street R.O.W. Vacation Exhibit, 2345 Auburn Ave., Waterford Township, Camden County, New Jersey" prepared by Environmental Resolutions Inc file number 43131-00 dated 09/12/23.

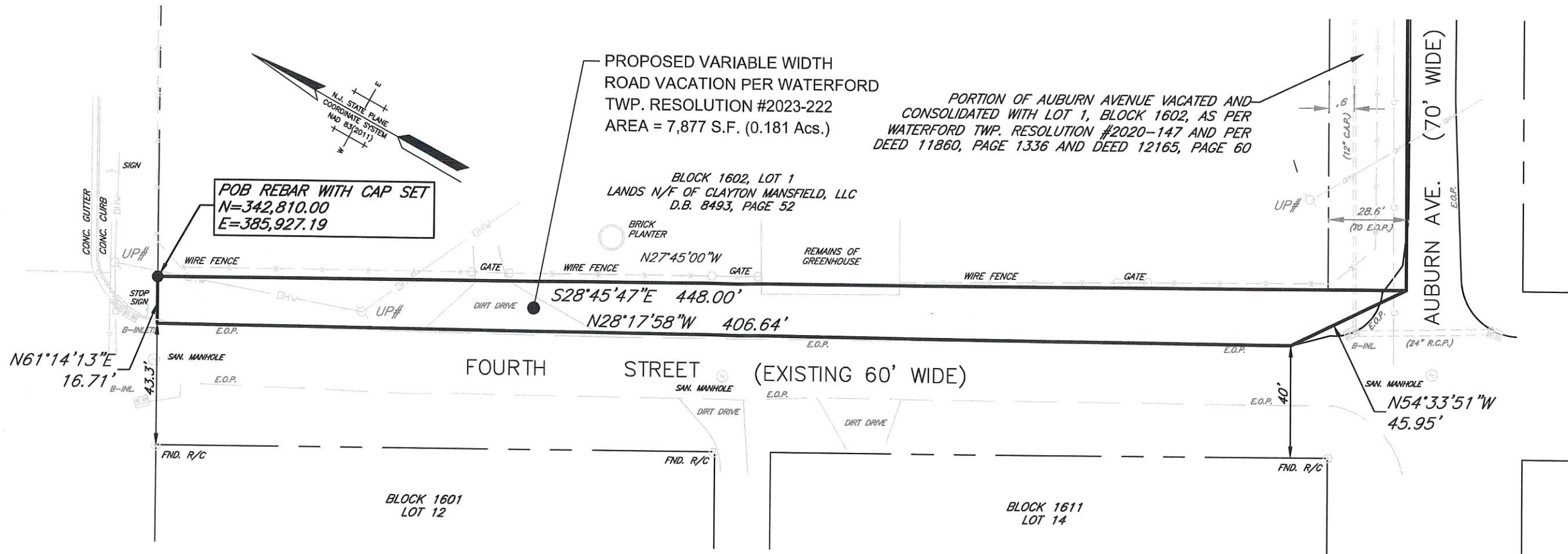
\_\_\_\_\_  
John M. Dura, P.LS  
NJ Professional Land Surveyor  
License No. 24GS02852500

Date

K:\46000\46131-00 Auburn Avenue\46131 4<sup>th</sup> Street Vacation\Legal Descriptio\ fourth street vacation description.doc



ATCO AVE. (80' WIDE)



PROPOSED VARIABLE WIDTH  
ROAD VACATION PER WATERFORD  
TWP. RESOLUTION #2023-222  
AREA = 7,877 S.F. (0.181 Acs.)

PORTION OF AUBURN AVENUE VACATED AND  
CONSOLIDATED WITH LOT 1, BLOCK 1602, AS PER  
WATERFORD TWP. RESOLUTION #2020-147 AND PER  
DEED 11860, PAGE 1336 AND DEED 12165, PAGE 60

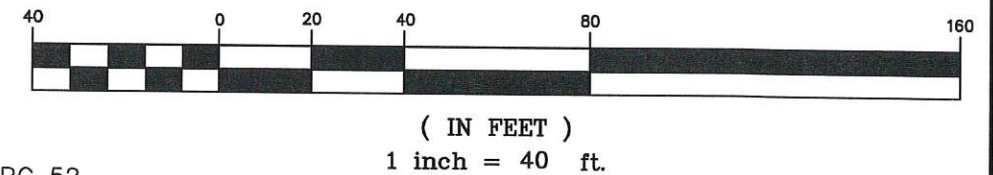
BLOCK 1602, LOT 1  
LANDS N/F OF CLAYTON MANSFIELD, LLC  
D.B. 8493, PAGE 52

POB REBAR WITH CAP SET  
N=342,810.00  
E=385,927.19

**GENERAL NOTES:**

- 1) DATUMS:  
HORIZONTAL DATUM IS NAD 83(2011) (NJSPCS).  
PER GPS OBSERVATIONS UTILIZING LEICA SMART NET VRS NETWORK.
- 2) BLOCK AND LOT NUMBERS REFER TO THE OFFICIAL TAX MAPS OF  
WATERFORD TOWNSHIP, CAMDEN COUNTY, NEW JERSEY.
- 3) PROPERTY LINES SCALED FROM TAX MAPS REFERENCING DB 8493, PG 52  
AND 11860, PAGE 1336.
- 4) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND  
IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY  
BE CONTAINED THEREIN. FOR THE PURPOSE OF EASEMENTS OF THIS SURVEY  
EXISTING EASEMENT OF RECORD WERE NOT RESEARCHED.

**GRAPHIC SCALE**



I HEREBY CERTIFY THAT THIS SURVEY AND PLAN  
WAS PREPARED BY ME OR UNDER MY DIRECT  
SUPERVISION AND THAT I AM A DULY LICENSED  
LAND SURVEYOR UNDER THE LAWS STATE OF  
NEW JERSEY.

**John M. Dura**  
NJ Professional Land Surveyor  
License # 24GS02852500



**ENVIRONMENTAL  
RESOLUTIONS, INC.**

Engineers • Planners • Scientists • Surveyors  
815 East Gate Drive – Suite 103  
Mount Laurel, New Jersey 08054-3415  
Tel. 856-235-7170 Fax 856-273-9239

No.	DATE	REVISIONS	REVISED BY
SCALE: 1"=40'		<b>FOURTH STREET R.O.W. VACATION EXHIBIT</b>	
DATE: 09/12/23			
SURVEY DATE: 08/23/23			
FIELD CREW: NEA			
FIELD BOOK: ATCO		2345 AUBURN AVE. WATERFORD TOWNSHIP CAMDEN COUNTY, NEW JERSEY	
DRAWN BY: JMD			
CHECKED BY: JMD		CAD FILE LOCATION: K:\46131\46131-4TH STREET SURVEY.DWG	
PROJECT NO: 46131 00		CERTIFICATE OF AUTHORIZATION NUMBER: 24GA27974500	
		SHEET NO: 1 OF 1	