

ORDINANCE NO. 2011- 20

AN ORDINANCE OF THE TOWNSHIP OF OCEAN, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR THE VACATION OF A PORTION OF CERTAIN RIGHT-OF-WAYS AND PAPER STREETS LOCATED WITHIN OCEAN TOWNSHIP, OCEAN COUNTY, NEW JERSEY

WHEREAS, the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey, is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a right-of-way and/or paper street located within in a portion of Ocean Township, Ocean County, New Jersey, known as the “Edgemont” area of the Township, a legal description of which is attached hereto and made a part hereof; and

WHEREAS, the Township Committee has commissioned the Township Engineer, Richard A. Alaimo Associates, to prepare a legal description for the streets to be vacated, which description is attached hereto dated and dated September 2011; and

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Ocean, Ocean County, and State of New Jersey, as follows:

SECTION 1: The public rights and interests are hereby vacated with respect to the portion of right-of-ways and paper streets, as described in the attached Legal Description prepared Richard A. Alaimo Associates dated September 2011.

SECTION 2: Be it further ordained that all the rights of any and all public utilities and/or cable television companies are hereby expressly reserved and excepted from this vacation.

SECTION 3: The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent

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COUNSELLORS AT LAW

620 WEST LACEY ROAD
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jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 4: Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall take effect after second reading and publication in an official newspaper as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Ocean on first reading at meeting held on the 13th day of October, 2011. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 1st day of November, 2011, at 10:00 am, or as soon thereafter as the matter may be reached, at the Municipal Building located at 50 Railroad Avenue, Waretown, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

DIANE B. AMBROSI, RMC,
Township Clerk

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Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

September 2011
M-311-212

Richard A. Alaimo Associates
200 High Street
Mount Holly, New Jersey 08060

Legal Description
For
Vacation of Streets
Those Portions Located in the Township of Ocean
County of Ocean, State of New Jersey
Said Streets Being Known As
Rulon Street, Edgemont Circle, Park Avenue, Bay Avenue, Edgemont Ave, Barnegat Avenue,
Maryland Avenue, Clinton Avenue, Lake Avenue, Washington Street, Albany Street, Jersey
Street, and a Portion of Madison Avenue

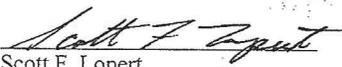
ALL THAT CERTAIN tract, piece or parcel of land situate and contained in the Township of Ocean (also known as Waretown), County of Ocean, State of New Jersey, said tracts of land being former plat right-of-ways for various roads and streets as shown on the plan entitled "Sub-Division A – Edgemont, Ocean County, New Jersey" filed as Map "A1", and filed August 13, 1907 in Book 1000, Page 293, and as shown on the Official Township Tax Map of Ocean Township, said right-of-ways to be vacated by the Township, vacating only those right-of-ways and portions thereof which are shown on said referenced plat and being located within said boundaries of Ocean Township. Said streets and roads also being referenced to the current Official Tax Maps of Ocean Township and being more particularly described as follows:

1. **Rulon Street** (50 foot wide), which is bound on the Southeast by Block 40.03, Lot 3 and Block 40.02, Lot 2 (right-of-ways now or formerly Jersey Central Power and Light Company), to be vacated from the Northerly township line of Barnegat Township to the Southerly line of Block 57.10, Lot 1.05.
2. **Edgemont Circle** (50 foot wide), to be vacated entirely between Rulon Street (50 foot wide and to be vacated) and Washington Street (60 foot wide and to be vacated).
3. **Washington Street** (60 foot wide), to be vacated from the Northerly township line of Barnegat Township to the Southerly line of Block 57.10, Lot 1.05.
4. **Albany Street** (60 feet wide), to be vacated from the Northerly township line of Barnegat Township to the Southerly line of Block 57.10, Lot 1.02.
5. **Jersey Street** (60 feet wide), to be vacated from the Northerly township line of Barnegat Township to the Southeasterly line of Block 57.10, Lot 1.02.

6. **Bay Avenue** (60 feet wide), to be vacated from the Westerly line of Rulon Street (50 foot wide and to be vacated) to the Southerly line of Block 57.10, Lot 1.05.
7. **Park Avenue** (60 feet wide), to be vacated from the Westerly line of Rulon Street (50 foot wide and to be vacated) to the Southerly line of Block 57.10, Lot 1.05.
8. **Edgemont Avenue** (60 feet wide), to be vacated from the Westerly line of Rulon Street (50 foot wide and to be vacated) to the Southerly line of Block 57.10, Lot 1.02.
9. **Barnegat Avenue** (60 feet wide), to be vacated from the Westerly line of Rulon Street (50 foot wide and to be vacated) to the Southeasterly line of Block 57.10, Lot 1.02.
10. **Maryland Avenue** (60 feet wide), to be vacated from the Westerly line of Rulon Street (50 foot wide and to be vacated) to the Southeasterly line of Block 57.10, Lot 1.02.
11. **Clinton Avenue** (60 feet wide), to be vacated from the Westerly line of Washington Street (60 foot wide and to be vacated) to the Easterly line of Block 57.10, Lot 1.02.
12. **Lake Avenue** (60 feet wide), to be vacated from the Westerly line of Washington Street (60 foot wide and to be vacated) to the Easterly line of Block 57.10, Lot 1.02.
13. **Madison Avenue** (60 foot wide), that portion North of the Township line of Barnegat Township and located between the Westerly line of Washington Street (60 foot wide and to be vacated) and Jersey Street (60 foot wide and to be vacated).

The purpose of these vacations being to vacate the herein listed roads and streets or portion thereof located within Ocean Township which are shown on the aforementioned plan and West of the now or formerly Jersey Central Power and Light Company right-of-way, Block 40.03, Lot 3 and Block 40.02, Lot 2.

Prepared by:


Scott F. Lopert
Professional Land Surveyor
N.J. License No. 24GS03537900