


Ord.#19-2018 An Ordinance of the Township of Mount Olive, County of Morris, State of New Jersey, Vacating a Portion of Parkway Drive and Adjacent Driveway (Block 8600 Lot 25).

CLERK:

Delivered to Mayor:

Date: 5/9/2018

Time: 12:15pm

Signed: 

Township Clerk
Michelle Masser

MAYOR:

Action by Mayor:

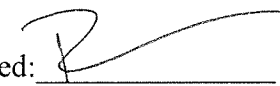
Approved: ☒

Date: 5/10/2018

Vetoed: ☐

Date: _____

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: 

Mayor

CLERK:

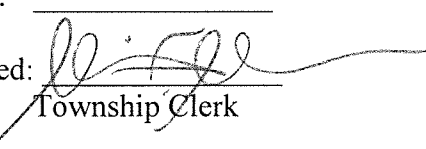
Returned:

Date: 5/10/18

Time: 8:50 am

Not returned with in (10) days

Date: _____

Signed: 

Township Clerk

ORD.#19-2018

AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY OF MORRIS, STATE OF NEW JERSEY, VACATING A PORTION OF PARKWAY DRIVE AND ADJACENT DRIVEWAY (BLOCK 8600, LOT 25)

WHEREAS, there exists in the Township of Mount Olive ("Township") a certain area that consists of an unimproved cul-de-sac and portion of driveway located on Parkway Drive at Block 8600, Lot 25 on the Official Township Tax Map (the "Area"); and

WHEREAS, the Township received a request from Russell Wright, who owns Block 8600, Lot 25, to vacate the Area, as more fully described in the metes and bounds description attached hereto as **Exhibit A**; and

WHEREAS, the request has been reviewed by the Township Engineer, who has determined that the Area was never needed for municipal purposes and will no longer be needed for municipal purposes, and does not object to the Township vacating the Area; and

WHEREAS, the Township has determined that vacating the Area is in the best interest of the Township; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release and extinguish the public's rights in the Area.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mount Olive, County of Morris, State of New Jersey, as follows:

1. The public rights and interests in the Area, as more fully described in **Exhibit A** attached hereto, are hereby vacated, abandoned, and released by the Township.
2. By virtue of such release, the Area referred to shall be held by the owner or owners thereof free and discharged from all public rights as a public street, as if said public rights had never existed, subject to any easement which may exist for storm water drainage.
3. The appropriate Township officials are hereby authorized to execute any collateral documents necessary to effectuate the purposes of this Ordinance.
4. It is the Township's belief that there are no rights and privileges possessed by public utilities within the proposed area to be vacated. To the extent that public utilities possess any rights and privileges within the vacated area as defined by R. S. 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.) any and all rights to maintain, repair and replace facilities, in, adjacent to, over or under the aforementioned portions of said area, are hereby expressly reserved from vacation.
5. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be provided to the owners of all real property, as shown on the current tax map, located adjacent to Parkway Drive.
6. The Township Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy of the Ordinance, together with a copy of proof of publication thereof, with the Clerk of Morris County for recording.
7. All costs relating to this Ordinance must be paid by the property owner.

BE IT FURTHER ORDAINED, that all ordinances of the Township of Mount Olive, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency; and

BE IT FURTHER ORDAINED, that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

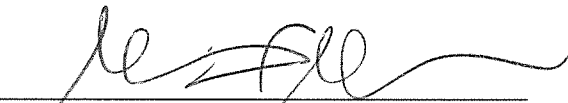
Introduced: 4/24/2018
Adopted: 5/8/2018
Effective Date: 6/1/2018

TOWNSHIP OF MOUNT OLIVE



Joe Nicastro, Township Council President

ATTEST: 5/8/2018



Michelle Masser, Township Clerk