

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: _____

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING THE RELEASE, VACATION AND EXTINGUISHMENT
OF ANY AND ALL PUBLIC RIGHTS IN AND TO PORTIONS OF
FULTON STREET AND LIBERTY STREET**

WHEREAS, application has been made By Gary Hipko, on behalf of Renaissance Properties, Inc., t/a Old Forge Land Holdings, LLC for the passage of an Ordinance vacating, releasing and extinguishing the public rights in and to certain portions of Fulton Street and Liberty Street, as shown on Tax Map Sheet No. 83.02 and as more particularly described in the Metes and Bounds Descriptions prepared by FWA Associates, P.A., a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township Engineer has reviewed said application and per his letter dated April 2, 2014, attached hereto as Exhibit "B", recommends the Township move forward with the request provided it is in conformance with the plans submitted for Minor Subdivision Application PB-1144-13 and subject to the creation of an easement protecting the existing drainage improvements at the intersection of Cottonwood Court and Liberty Street; and

WHEREAS, the Monroe Township Utilities Department ("M.T.U.D.") has reviewed said application for street vacation and per letter dated January 23, 2014, attached hereto as Exhibit "C", has no objections to the granting of this vacation; and

WHEREAS, the Township Council of the Township of Monroe is of the opinion that the public interest will best be served by vacating and releasing the public rights in said portions of Fulton Street and Liberty Street;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex and State of New Jersey as follows:

1. The public rights and interests in the portions of Fulton and Liberty Streets, as described in attached Exhibit "A", are hereby released, vacated and extinguished.
2. Pursuant to N.J.S.A. 40:67-1, the following described rights of public utilities and cable television companies are hereby expressly reserved and accepted from this vacation. All rights and privileges possessed at the time of the adoption of this Ordinance by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act", P.L. 1972, c. 186 (C.48:5A-1, et seq) 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.
3. The Township's Certified Municipal Finance Officer is hereby authorized to draw a check in the sum of \$11.00 payable to the Middlesex County Clerk, and upon receipt of same, the Township Clerk shall thereupon file a certified copy of this Ordinance in the Office of the Middlesex County Clerk.
4. This Ordinance shall become effective twenty days after final passage and publication according to law.

GERALD W. TAMBURRO, Council President

NOTICE

Notice is hereby given that the above Ordinance was introduced at a meeting of the Monroe Township Council held on May 5, 2014 and read a first time, and that the Ordinance herein will be considered on second reading and final passage at a meeting of the Monroe Township Council to be held on June 4, 2014 at 7:00 p.m. in the Monroe Township Municipal Complex, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest will be given an opportunity to be heard.

SHARON DOERFLER, Township Clerk

MAYORAL APPROVAL

Pursuant to the Optional Municipal Charter Law of 1950 and Section 3-19 of the Code of the Township of Monroe, my approval of this Ordinance is affected by the affixing of my signature hereto.

RICHARD PUCCI, MAYOR

DATE SIGNED _____