

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: _____

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
RELEASING, VACATING AND EXTINGUISHING ANY AND ALL
PUBLIC RIGHTS IN AND TO A PORTION OF
DUCHESS DRIVE**

WHEREAS, application has been made by Lucille DiPaquale, 70 Avenue K, Monroe Township, New Jersey 08831, for the passage of an Ordinance vacating, releasing and extinguishing the public rights in and to a certain portion of Duchess Drive f/k/a Hampton Road, Block 109.10, Lot 4 as shown on Tax Map Sheet No. 87.03 and as more particularly described in the Metes and Bounds Descriptions prepared by Ameritech Engineering, Inc., a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the Township Engineer has reviewed said application and per his letter dated October 21, 2014, attached hereto as Exhibit "B", recommends the Township move forward with the vacation of a certain portion of Duchess Drive; and

WHEREAS, Ryan Herkert, Assistant Engineer of the Monroe Township Utilities Department ("M.T.U.D."), has reviewed said application for street vacation and per letter dated August 26, 2014, attached hereto as Exhibit "C", has no objections to granting 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 Duchess Drive;

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 portion of Duchess Drive, 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 November 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 December 1, 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 any person 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 _____

VACATE – DUCHESS DRIVE