

ORDINANCE O-13-07

**AN ORDINANCE OF THE TOWNSHIP OF SOUTH HARRISON,
GLOUCESTER COUNTY, NEW JERSEY, EXTINGUISHING AND
VACATING ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION
OF LAKE STREET AND JACKSON STREET FOR PUBLIC STREET
OR RIGHT-OF-WAY PURPOSES; AND AUTHORIZING THE MERGER
OF SUCH VACATED LANDS WITH BLOCK 30, LOT 6, ON THE
TOWNSHIP OF SOUTH HARRISON TAX MAPS**

WHEREAS, the Mayor and Township Committee of the Township of South Harrison are of the opinion that the interests of the Township of South Harrison will be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a 5.38' portion of Jackson Street and a 6.98' portion of Lake Street directly adjacent to the premises owned by Francis E. Phillips, Sr., known as Lot 6 of Block 30 on the Township of South Harrison Tax Maps; and

WHEREAS, the dwelling owned by Francis E. Phillips, Sr., at the intersection of Lake Street and Jackson Street (Block 30, Lot 6) was constructed in or around 1860 and is located within the Jackson Street right-of-way; and

WHEREAS, that the partial vacation of the subject portions of Jackson Street and Lake Street, described hereinbelow, are not needed for use for public road purposes based upon the improvements to such roadways completed by the Township under the 2009 NIDOT Trust Fund Road Improvement Project; and

WHEREAS, it has been determined by the Township Committee that the partial vacation of a portion of Jackson Street and Lake Street, respectively, should be merged with the adjoining parcel identified as Lot 6 of Block 30 on the Township of South Harrison Tax Maps.

NOW, THEREFORE, BE IT ORDAINED and enacted by the Township Committee of the Township of South Harrison, County of Gloucester, and State of New Jersey, as follows:

SECTION I: All public easements, rights and interests in and to a 5.38' portion of Jackson Street, in addition to the 6.98' portion of Lake Street, as set forth in the Legal Description prepared by Datz Engineering & Land Surveying dated February 4, 2013, attached hereto as **Exhibit 'A'** and made a part hereof, and as depicted on the sketch entitled "Survey of Lands" prepared by Datz Engineering & Land Surveying last revised January 14, 2013, annexed hereto as **Exhibit 'B'** and made a part hereof, be and is hereby vacated, abandoned and released for street or right-of-way purposes.

SECTION II: Any and all rights and privileges possessed by public utilities and by any cable television company on, over and across the described portion of the vacated areas of Jackson Street and Lake Street, respectively, are hereby expressly reserved and excepted from this vacation to maintain, repair and replace their existing facilities in, adjacent to, over and under the street, or any part thereof, to be vacated subject to the conditions described herein.

SECTION III: The approximate 5.38' portion of Jackson Street to be vacated herein, as well as the 6.98' portion of Lake Street to be vacated, shall be annexed and merged to the adjoining contiguous parcel known as Lot 6 of Block 30 on the Township of South Harrison Tax Maps.

SECTION IV: The official Tax Map of the Township of South Harrison be and is hereby amended and revised to reflect:

- (a) the vacation of the 5.38' portion of Jackson Street adjacent to Block 30, Lot 6, as described in **Exhibit 'A'**, and depicted on **Exhibit 'B'**;
- (b) the vacation of the 6.98' portion of Lake Street adjacent to Block 30, Lot 6, as described in **Exhibit 'A'**, and depicted on **Exhibit 'B'**.

SECTION V: The Township Clerk is hereby authorized and directed to record a certified copy of this Vacation Ordinance and Exhibits directly with the Office of the Gloucester County Clerk.

SECTION VI: The Mayor and Township Committee are hereby authorized and directed to execute any and all documents to perfect the partial vacation of Jackson Street and Lake Street, respectively.

SECTION VII: This Ordinance shall take effect immediately after final passage and publication in accordance with the law.

THE FOREGOING was introduced by the Township Committee of the Township of South Harrison at a Regular Meeting held on May 8th, 2013. This Ordinance will be considered for adoption at final reading and publication to be held on June 12, 2013, at 7:30 p.m., or at such time as may be determined and announced, in the Office of the Township Clerk, 664 Harrisonville Road, Harrisonville, New Jersey, 08039, at which time and place all persons interested will be given the opportunity to be heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Office of the Township Clerk to the members of the general public who may request same.

TOWNSHIP OF SOUTH HARRISON

BY: _____
JAMES MCCALL, MAYOR

ATTEST:

**NANCY E. KEARNS, RMC,
TOWNSHIP CLERK**

STATEMENT TO BE PUBLISHED WITH ORDINANCE AFTER INTRODUCTION.

NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of South Harrison, in the County of Gloucester, State of New Jersey, on May 8th, 2013. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Municipal Building, 664 Harrisonville Road, Harrisonville, New Jersey, 08039, on June 12th, 2013, at 7:30 p.m. During the week prior to and up to and including the date of such meeting, copies of the full Ordinance will be available at no cost and during regular business hours, at the Office of the Township Clerk for the members of the general public who request same.

**NANCY E. KEARNS, RMC,
TOWNSHIP CLERK**

STATEMENT TO BE PUBLISHED WITH ORDINANCE AFTER FINAL ADOPTION

ORDINANCE STATEMENT

The Ordinance published herewith has been finally adopted on June 12, 2013, and the twenty (20) day period of limitation within such a suit, action or proceeding questioning the validity of such Ordinance can be commenced, as provided under New Jersey Law, has begun to run from the date of the first publication of this Statement.

NANCY E. KEARNS, RMC,
TOWNSHIP CLERK

Information Only