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TOWNSHIP OF WALL

ORDINANCE 28-2006

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF SHARK RIVER STATION ROAD.

WHEREAS, the Township Committee of the Township of Wall has been requested to vacate all of the right, title and interest of the Township in a portion of Shark River Station Road as described in Schedule A attached hereto; and

WHEREAS, the Township Committee makes a determination that the public will not adversely be affected by the vacation of the Township's interest in a portion of Shark River Station Road;

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

Section 1. There is hereby vacated all of the right, title and interest of the public for all public usages and purposes in and to that portion of Shark River Station Road as is set forth on Schedule A attached hereto and made a part hereof; however, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed 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, being vacated by the provisions of this Ordinance. The vacated parcel shall attach to the adjacent property and shall not be subdivided.

Section 2. At least one week prior to the time fixed for further consideration for final passage of this Ordinance, a copy hereof together with a notice stating the introduction of the Ordinance on first reading and the time and place when and where the Ordinance will be considered for final passage shall be mailed to every person whose lands may be affected by the adoption of this Ordinance.

Section 3. This Ordinance shall be published at least once in the official

newspaper of the Township at least ten (10) days prior to the time fixed for consideration of the final passage of this Ordinance

Section 4. The Township Clerk, if this Ordinance is adopted on final reading, shall submit a certified copy of this Ordinance, together with proof of publication, to the Monmouth County Clerk's Office for recording in the Book of Vacations.

Section 5. This Ordinance shall take effect after second reading and publication as required by law.

Section 6. A copy of Schedule A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's office during normal business hours.

Section 7. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 8. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee on the Township of Wall on August 9, 2006, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on September 13, 2006, at 7:30 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same.

LORRAINE KUBACZ, RMC
Township Clerk

Lorraine Kubacz

#, 52
ROR
Township of Wall
2700 Allaire Rd
PO Box 1168
Wall, NJ 07719-1168

M CLAIR FRENCH, CTY CLK
MONMOUTH COUNTY, NJ

INSTRUMENT NUMBER

2006160023

RECORDED ON

Oct 30, 2006

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PAGE:5662

Total Pages: 6

COUNTY RECORDING FEES \$8.00

TOTAL \$8.00

I HEREBY CERTIFY THIS IS A TRUE
COPY OF ORDINANCE No. *28-2006*
WHICH WAS FINALLY ADOPTED
BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF WALL
ON *9-13-06*

Lorraine Kubacz
TOWNSHIP CLERK

ORIGINAL DOCUMENT POOR QUAL

SCHEDULE A

ALL that certain lot, parcel or tract of land, situate and lying in the Township of Wall, County of Monmouth, State of New Jersey, and being more particularly described as follows:

BEGINNING at a point in the Northerly sideline of Shark River Station Road (as the same was laid out in Road Book B page 47 recorded May 14, 1790), said point being in the Easterly line of Lot 19, Block 901, lands now or formerly belonging to Robert and Roxanne Gregoria, said point located along their line, North 39 degrees 35 minutes East, 37.82 feet from its point of intersection, if extended, with the current Northerly sideline of Shark River Station Road (aka Shark River Road)(ROW varies) as shown on a certain Green Acres survey dated 7/19/2002 prepared by Schoor DePalma; from thence running

- 1) Along the 1790 sideline, South 76 degrees 56 minutes 28 seconds East, 32.94 feet to a point; thence
- 2) Still along same, South 44 degrees 52 minutes 00 seconds East, 108.12 feet to a point; thence
- 3) Still along said sideline; South 32 degrees 52 minutes 00 seconds East, 237.49 feet to a point; thence
- 4) Still along same, South 45 degrees 37 minutes 00 seconds East, 71.50 feet to a point; thence
- 5) South 10 degrees 23 minutes 00 seconds West, 8.53 feet to a point in the current Northerly sideline of Shark River Station Road; thence
- 6) Along the new sideline, North 56 degrees 26 minutes 26 seconds West, 142.03 feet to a point; thence
- 7) Still along the same, North 37 degrees 40 minutes 55 seconds West, 265.39 feet to a point; thence
- 8) Still along same, North 51 degrees 20 minutes 48 seconds West, 38.84 feet to a point; thence
- 9) North 39 degrees 35 minutes 00 seconds East, passing through an iron pipe found, 37.82 feet to the point and place of BEGINNING.

This lot being further delineated as "Area of Questionable Title" on a survey prepared by Acre Survey Company, Inc., dated 4/29/05, comprising 19,878.5 square feet of land more or less