

TOWNSHIP OF WALL**ORDINANCE 35-2005****AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, VACATING ALL THE PUBLIC RIGHTS AND EASEMENTS IN A PORTION OF THAT STREET KNOWN AS SECOND STREET**

WHEREAS, it appears from the Title Search prepared on behalf of the Township, that the portion of Second Street adjoining Lots 7 and 8 of Block 826.01 was not dedicated to the Township of Wall but rather forms a part of the property owned by said property owners; and

WHEREAS, it appears that the public interest will be best served by releasing and vacating any public rights and easements which may exist in that portion of Second Street which is bordered by Lots 7 and 8, Block 826.01 as shown on the current Tax Map of the Township of Wall.

BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth, 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 Second Street 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.

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 November 22, 2005, and further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on December 14, 2005, 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

35-2005

Schedule A

040040302
November 15, 2005

*Please
attach to
Ord. 35-2005*


**DESCRIPTION OF THE VACATION OF A PORTION OF SECOND STREET IN
BLOCK 826.01, WALL TOWNSHIP, MONMOUTH TOWNSHIP, NEW JERSEY**

BEGINNING AT A POINT in the easterly line of First (50 foot right-of-way) Avenue, said point being at it's intersection with the southerly line of Second (50 foot right-of-way) Street, and from said point of beginning running, thence;

1. Northwardly along the aforesaid easterly line of First Avenue, 50.00 feet to the southwest corner of Lot 8, thence;
2. Eastwardly along the southerly line of Lot 8 in Block 826.01, 125.00 feet to the southeasterly corner thereof, also being the eastwardly terminus of Second Street, thence;
3. Southwardly along the said easterly terminus of Second Street, 50.00 feet to the northeasterly corner of Lot 7 in said Block 826.01, thence;
4. Westwardly along the said northerly line of Lot 7, 125.00 feet to the point or place of beginning.

Containing 6,250 ± Sq. Ft.

The above description is drawn in accordance with a certain Map entitled "Vacation of a Portion of Second Street, Block 826.01, Lots 7 & 8, Wall Township, Monmouth County, New Jersey", prepared by Schoor DePalma, Inc. and dated November 15, 2005.



Thomas Crader, PLS
SCHOOR DEPALMA, INC.
New Jersey License No. 21782