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CLAIRE FRENCH, CITY CLK  
MONMOUTH COUNTY, NJ

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TOWNSHIP OF WALL  
ORDINANCE NO. 15-2005

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF ALL OF THE PUBLIC RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF WALL IN A PORTION OF CHERRY STREET.

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 Cherry Street 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 Cherry Street;

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 Cherry 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

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JUL 13 2005

CLERK'S OFFICE

R-42. Hall Twp  
2700 Allaire Rd  
Hall Twp, N.J. 07719-1168  
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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 April 13, 2005, and further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on May 11, 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

I HEREBY CERTIFY THIS IS A TRUE  
COPY OF ORDINANCE No. 15-2005  
WHICH WAS FINALLY ADOPTED  
BY THE TOWNSHIP COMMITTEE  
OF THE TOWNSHIP OF WALL  
ON 5-11-05.

Lorraine Kubacz  
TOWNSHIP CLERK


**DESCRIPTION OF A VACATION OF A  
PORTION OF CHERRY STREET  
WALL TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY**

**BEGINNING AT A POINT** in the easterly line of Cherry (40 foot Right-of-Way) Street, said point being at its intersection with the southerly line of Holly (60 foot Right-of-Way) Boulevard and from said point of beginning running thence:

1. Southwardly along the said easterly line of Cherry Street 115± feet to the southwesterly corner of Lot 18 in Block 867, thence;
2. Westwardly in the projection of the southerly line of said Lot 18, 20± feet to the centerline of Cherry Street, thence;
3. Southwardly along the centerline of Cherry Street 35± feet to its intersection with the southerly line extended eastwardly of Lot 1 in Block 866, thence;
4. Westwardly along the said line 20± feet to the westerly line of Cherry Street, thence;
5. Northwardly along the existing westerly line of Cherry Street 150± feet to its intersection with the aforesaid southerly line of Holly Boulevard, thence;
6. Eastwardly along the said southerly line 40± feet to the point or place of beginning.

Containing 5,300± sq. ft.

The above description is drawn in accordance with a certain map entitled "Vacation of a Portion of Cherry Street, Tax Map Sheet 61.02, Wall Township, Monmouth County, New Jersey", prepared by Schoor DePalma, Inc. and dated March 2, 2005.

  
Thomas Crader  
**SCHOOR DE PALMA**  
New Jersey