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TOWNSHIP OF WALL

ORDINANCE NO. 36-2004

M CLAIRE FRENCH, CT. CLK.
MONMOUTH COUNTY, NJ

INSTRUMENT NUMBER
2005028793

RECORDED ON
Feb 21, 2005
12:26:56 PM
BOOK: OR-8439
PAGE: 7515
Total Pages: 6

COUNTY RECORDING FEES \$8.00

TOTAL \$8.00

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 OLD BRIDGE 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 Old Bridge Road as described in Schedule A attached hereto; and

WHEREAS, the Township Committee finds that the subject portion of Old Bridge Road is no longer necessary for public use due to the State Highway #70 improvements performed by the New Jersey Department of Transportation and further finds that the portion of Old Bridge Road in question located in the Borough of Brielle has already been vacated by that municipality; and

WHEREAS, the Township Committee finds that the public will not adversely be affected by the vacation of the Township's interest in the portion of Old Bridge 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 Old Bridge 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

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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 of the Township of Wall on November 10, 2004, and further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on December 8, 2004, 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. 36-2004
WHICH WAS FORMALLY ADOPTED
BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF WALL
ON 12/8/04.

Lorraine Kubacz
TOWNSHIP CLERK

040040301
September 28, 2004

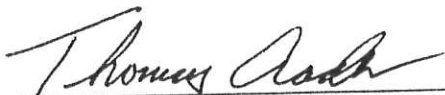
SCHEDULE "A" TO ORDINANCE NO. 36-2004 OF THE TOWNSHIP OF WALL
DESCRIPTION OF THE VACATION OF A PORTION OF OLD BRIDGE ROAD
BLOCK 893.18, LOT 2
WALL TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY

BEGINNING at the point of intersection of the existing northerly line of Old Bridge (Monmouth County Route 20) Road, with the northerly line of New Jersey State Highway Route #70, and from said point of beginning running thence:

1. Southwestwardly along the said northerly line of Route 70, 46± feet, to the center line of Old Bridge Road, thence;
2. Westwardly along the aforesaid center line, 237± feet, to its intersection with the westerly line of said Lot 2, extended southwardly, thence;
3. Northeastwardly, along the said westwardly line of Lot 2, 23± feet, thence;
4. Eastwardly, along the existing northerly line of Old Bridge Road, 265± feet, to the Point or Place of Beginning.

Containing 4,145± square feet.

The above description is drawn in accordance with a certain map entitled "Vacation of a Portion of Old Bridge Road, Block 893.18, Lot 2, Wall Township, Monmouth County, New Jersey", prepared by Schoor DePalma, Inc., dated 9/28/2004.



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

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