

5464

MAR 07 2001



TOWNSHIP OF WALL
ORDINANCE NO. 5 - 2001

H. CLAIRE FRENC
COUNTY CLERK
MONMOUTH COUNTY
NEW JERSEY

INSTRUMENT NUMBER
2001038574

REC'D MAR 27, 2001
3:20:14 PM
BOOK:OR-8012
PAGE:845
Total Pages: 4

COUNTY RECORDING FEES \$19.00

DEDICATED TRUST FUND CONTRACTUAL \$2.00

TOT \$21.00

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 HEMLOCK 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 Hemlock Street; 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 Hemlock 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 Hemlock 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

R/R
McLaughlin, Bennett, Nelson et al
1305 Campus Parkway
Repture, N.J. 07753
#52
(Wall Twp.)

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 an 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 January 24, 2001, and further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on February 13, 2001, at 8:00 o'clock 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 and 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.

BETTY SCHINESTUHL
Deputy Township Clerk

I HEREBY CERTIFY THIS IS A TRUE
COPY OF ORDINANCE No. 5-2001
WHICH WAS FINALLY ADOPTED
BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF WALL
ON 2/13/01.

Betty Schinestuhl
DEPUTY TOWNSHIP CLERK