

JUN 13 2005

TOWNSHIP OF WALL

ORDINANCE NO. 16-2005



587171

7
6974

90

INSTRUMENT NUMBER
2005100219
RECORDED ON
JUN 28, 2005
9:13:23 AM
BOOK:OR-8473
PAGE:1455

Total Pages: 7

COUNTY RECORDING FEES \$8.00
TOTAL \$8.00

CLERK'S OFFICE

JUL 13 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 VIRGINIA AVENUE.

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 Virginia Avenue 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 Virginia Avenue;

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 Virginia Avenue 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 Township does hereby further expressly reserve and except from the vacation all easements of record including but not limited to sewer, drainage and utility easements.

RxR Hall Top
2700 Allie Rd
Hall 11.8.07717-1168
152

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 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. 16-2005
WHICH WAS FINALLY ADOPTED
BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF WALL
ON 5-11-05.

Lorraine Kubacz
TOWNSHIP CLERK

**DESCRIPTION OF A PORTION OF VIRGINIA AVENUE
TO BE VACATED IN THE
TOWNSHIP OF WALL, MONMOUTH COUNTY, NEW JERSEY**

BEGINNING AT A POINT in the northeasterly line of Hurley Pond (25 feet from centerline) Road, said point being the southwesterly corner of Lot 24 in Block 770, and from said point of beginning running thence:

1. North 46 degrees 00 minutes 00 seconds West, along the aforesaid northeasterly line of Hurley Pond Road, 94.28± feet, to the westerly line of Lot 10 in Block 762.01 extended southwardly, thence;
2. North 10 degrees 33 minutes 33 seconds East, along the said westerly line, 17.98 feet, thence;
3. South 46 degrees 00 minutes 00 seconds East, 49.19 feet to a point in the northwesterly line of Virginia Avenue, thence;
4. North 44 degrees 00 minutes 00 seconds East, along the said northwesterly line 335.00 feet, to its intersection with the southwesterly line of Adams (50 foot Right-of-Way) Street, extended northwestwardly, thence;
5. South 46 degrees 00 minutes 00 seconds East, along the said extension, 55.00 feet to the northwesterly corner of Lot 1 in Block 770, thence;
6. South 44 degrees 00 minutes 00 seconds West, along the southeasterly line of Virginia Avenue, also being the northwesterly line of Lot 1 and Lot 24 in Block 770, 350.00 feet, to the point or place of beginning.

Containing 19,914± sq. ft.

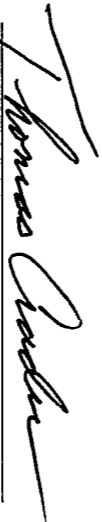
**DESCRIPTION OF A PORTION OF VIRGINIA AVENUE
TO BE VACATED IN THE
TOWNSHIP OF WALL, MONMOUTH COUNTY, NEW JERSEY**

BEGINNING AT A POINT in the northeasterly line of Hurley Pond (25 feet from centerline) Road, said point being the southwesterly corner of Lot 24 in Block 770, and from said point of beginning running thence:

1. North 46 degrees 00 minutes 00 seconds West, along the aforesaid northeasterly line of Hurley Pond Road, 94.28± feet, to the westerly line of Lot 10 in Block 762.01 extended southwardly, thence;
2. North 10 degrees 33 minutes 33 seconds East, along the said westerly line, 17.98 feet, thence;
3. South 46 degrees 00 minutes 00 seconds East, 49.19 feet to a point in the northwesterly line of Virginia Avenue, thence;
4. North 44 degrees 00 minutes 00 seconds East, along the said northwesterly line 335.00 feet, to its intersection with the southwesterly line of Adams (50 foot Right-of-Way) Street, extended northwesterly, thence;
5. South 46 degrees 00 minutes 00 seconds East, along the said extension, 55.00 feet to the northwesterly corner of Lot 1 in Block 770, thence;
6. South 44 degrees 00 minutes 00 seconds West, along the southeasterly line of Virginia Avenue, also being the northwesterly line of Lot 1 and Lot 24 in Block 770, 350.00 feet, to the point or place of beginning.

Containing 19,914± sq. ft.

The above description is drawn in accordance with a certain map entitled "Vacation of a Portion of Virginia Avenue, Block 770 & 762.01, Lots 1, 24 & 10, Wall Township, Monmouth County, New Jersey", prepared by Schoor DePalma, Inc., and dated March 9, 2005.



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