


Approved as to Form and Legality on Basis of Facts Set Forth



Borough Attorney /s/ Robert L. Tarver, Jr.

**BOROUGH OF PENNS GROVE
MAYOR AND COUNCIL**

ORDINANCE NO. 2021-22

**ORDINANCE OF THE BOROUGH OF PENNS GROVE, AUTHORIZING VACATION
OF CERTAIN PORTIONS OF ALLEYS**

WHEREAS, the Borough of Penns Grove (the “**Borough**”) may enact ordinances pertaining to public streets, thoroughfares and sidewalks located within the Borough; and

WHEREAS, the Borough is authorized pursuant to N.J.S.A. 40:67-1 et seq. to establish, change the grade of , or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the Borough, following notice and hearing as set forth in N.J.S.A. 40:49-6; AND

WHEREAS, the Borough Council recognizes that the alleys are properly described and therefore the portions of the alleys to be vacated are described in two ways, with the Council’s intent being that the broadest description of the area is intended to control:

1. The shaded areas shown on the official tax map of the Borough of Penns Grove (see Exhibit A); and
2. The portions of the alleys delineated in the following documents provided by Jeffrey Gellenthin, P.L.S., N.J. License No. GS-36750, and dated March 16, 2021:

Description of a portion of the Northeasterly half of a 10 feet wide alley adjoining Lots 23 and 25 in Block 84, Penns Grove Borough, Salem County, New Jersey

Description of a portion of a 9.5 feet wide alley adjoining Lots 23, 25, 26, and 27 in Block 84, Penns Grove Borough, Salem County, New Jersey

Collectively these descriptions of the portion of alleys to be vacated shall be the **Vacated Alleys**; and

WHEREA, there is no municipal or public need for the Vacated Streets, and they are not necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Penns Grove, County of Salem, State of New Jersey that:

Section I: Pursuant to N.J.S.A. 40:67 et seq. N.J.S.A. 40A:12-8, and N.J.S.A. 40A:12-39, the Vacated Alleys shall be and the same are hereby vacated and any public easement and rights therein be and the same are hereby extinguished.

Section II: Pursuant to N.J.S.A.40:67-21, the Redeveloper shall file this Ordinance and the maps with the Register of the County of Salem within sixty (60) days after this Ordinance becomes effective. Upon the filing of this Ordinance, the maps and the description with the Register of Salem County, title to the vacated premises shall vest in Redeveloper.

Section III: All ordinances inconsistent herewith are hereby repealed.

Section IV: This Ordinance shall take effect at the time manner provided by law.


LaDaena D. Thomas, Mayor

ATTEST:


Municipal Clerk

July 20, 2021
Date Adopted

Intro: 7/6/21

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FIRST READING													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
MARTIN	X						GIORDANO	X					X
SCARPACI	X				X		RAMBO				X		
CARTER	X												
								MINCEY, PRESIDENT	X				
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Final: 7/20/21

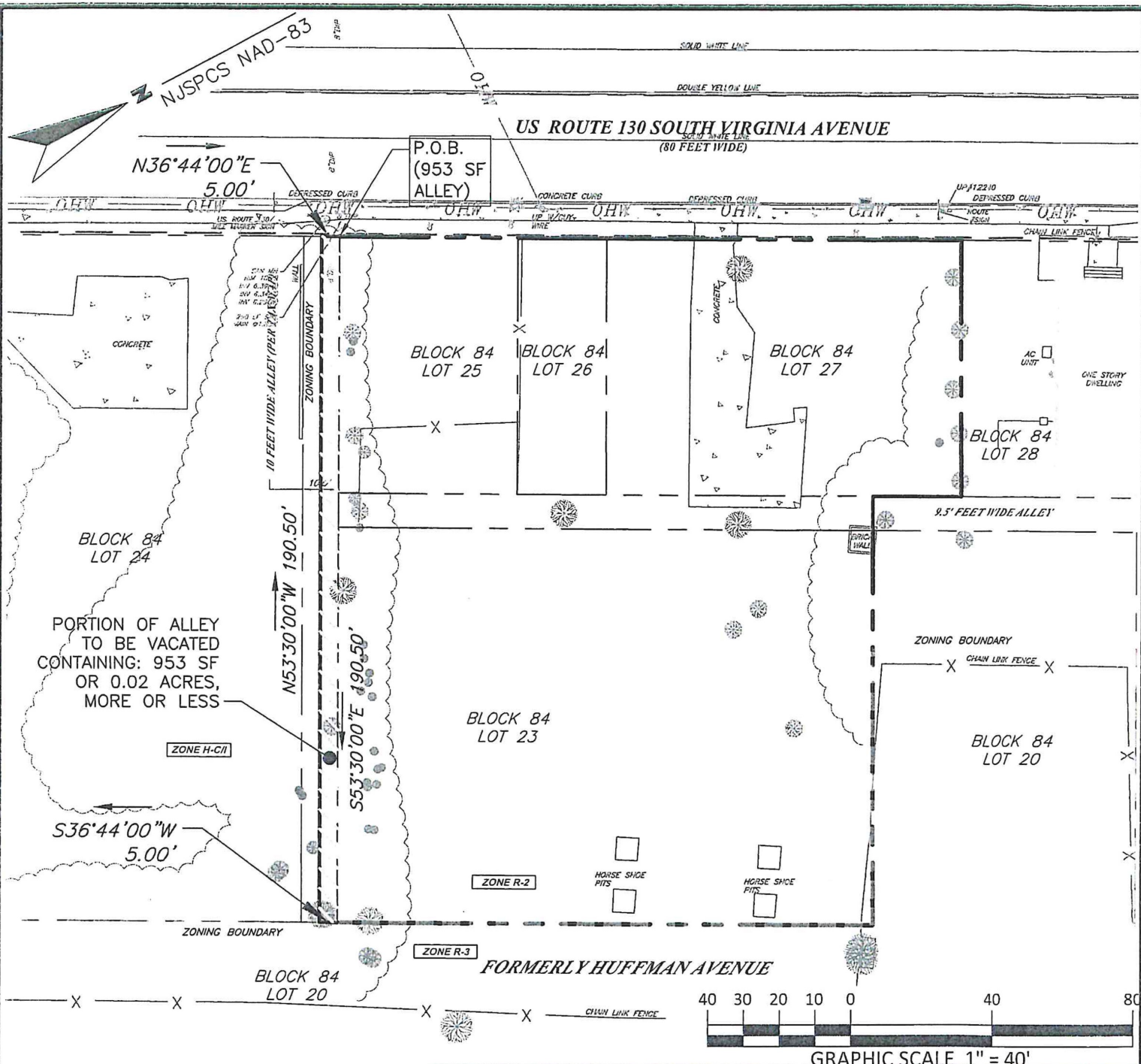
DO NOT USE SPACE BELOW THIS LINE																
RECORD OF COUNCIL VOTE ON FINAL PASSAGE																
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.			
MARTIN				X			GIORDANO	X					X			
SCARPACI	X				X		RAMBO	X								
CARTER	X															
											MINCEY, PRESIDENT			X		
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second																

This is a Certified True copy of the Original Ordinance on file in the Borough Clerk's Office.

DATE OF ADOPTION:

Sharon R. Williams
/s/ Sharon Williams, Borough Clerk

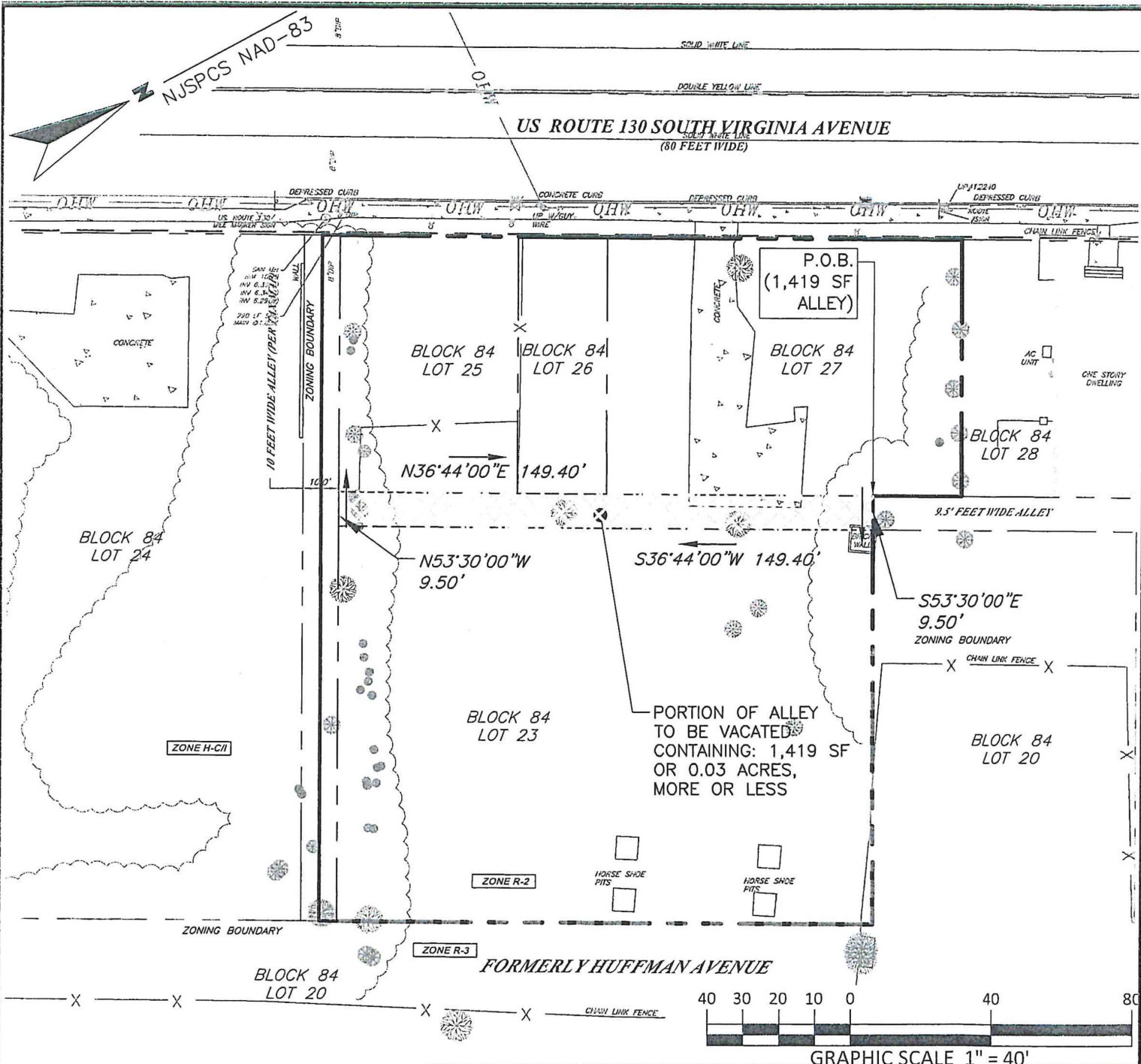
Exhibit A



LEGEND

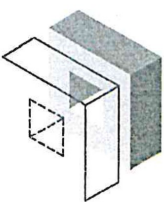
- EXISTING PROPERTY LINES
- SUBJECT PARCEL
- EXISTING EDGE OF PAVEMENT
- EXISTING BUILDING
- EXISTING CURB
- EXISTING CONCRETE
- PROPOSED 953 SF ALLEY TO BE VACATED

 SR3 ENGINEERS 100 ESSEX AVENUE, SUITE 201 BELLMAWR NJ, 08031 PH: (856) 933-3323	Project No: <p style="text-align: center;">020-001</p>
	Date: <p style="text-align: center;">MARCH 16, 2021</p>
Project / Location: <p style="text-align: center;">AUTOZONE T.M.SHEET 18, BLOCK 84, LOTS 23 & 25-27 BOROUGH OF PENNS GROVE, SALEM COUNTY, NEW JERSEY</p>	Revision Date: Drawn: <p style="text-align: center;">JMS</p>
Drawing Name: <p style="text-align: center;">VACATION EXHIBIT 1</p>	Designed By: <p style="text-align: center;">SR</p>
	Scale: <p style="text-align: center;">1" = 40'</p>
	Sheet Number: <p style="text-align: center;">1 of 2</p>



LEGEND

EXISTING PROPERTY LINES	---
SUBJECT PARCEL	---
EXISTING EDGE OF PAVEMENT	---
EXISTING BUILDING	▬
EXISTING CURB	▬
EXISTING CONCRETE	▬
PROPOSED 1,419 SF ALLEY TO BE VACATED	▬

 <p>SR3 ENGINEERS 100 ESSEX AVENUE, SUITE 201 BELLMAWR NJ, 08031 PH: (856) 933-3323</p>	Project No: 020-001
	Date: MARCH 16, 2021
Project / Location: AUTOZONE T.M.SHEET 18, BLOCK 84, LOTS 23 & 25-27 BOROUGH OF PENNS GROVE, SALEM COUNTY, NEW JERSEY	Revision Date:
Drawing Name: VACATION EXHIBIT 2	Drawn: JMS
	Designed By: SR
	Scale: 1" = 40'
	Sheet Number: 2 of 2