

Township of West Milford
Passaic County, New Jersey

~ Ordinance 2024 – 004 ~

ORDINANCE READOPTING ORDINANCE 2003-02 TO VACATE CERTAIN PUBLIC RIGHTS IN A ROAD KNOWN AS “TENAFLY COURT” OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY

WHEREAS, Ordinance 2003-02 has been previously adopted and enacted into law and duly published as the law provides; and

WHEREAS, this Ordinance will readopt Ordinance 2003-02 that previously was omitted in the recording with the Passaic County Clerk; and

WHEREAS, a recent pending real property sale recognized that Tenafly Court was omitted from the Passaic County Clerk records and is needed for the real property sale to proceed; and

NOW THEREFORE BE IT ORDAINED, by the Township of West Milford Township Council finds that the readopting of Ordinance 2003-02 is as follows:

WHEREAS, Tenafly Court was dedicated to the public by virtue of inclusion on a filed map entitled “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 1932, as Map No. 943; and

WHEREAS, in response to a road assessment petition by residents, the Township Council adopted Ordinance No. 1985-7 on June 19, 1985, accepting the roads surrounding, but not including, Tenafly Court, on the basis of recommendations from the Township Engineer not to accept Tenafly Court because it served no public need; and

WHEREAS, it continues to be the recommendation of the current Township Engineer that Tenafly Court be vacated due to the fact that it serves no foreseeable future public need as a right-away; and

WHEREAS, the Township of West Milford has determined that it wishes to vacate the public interest in Tenafly Court.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, as follows:

1. Tenafly Court which was created by the “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 8, 1932, as Map No. 943, shall be vacated.
2. That the vacation of the above-described property shall in no way affect any private rights which may exist at the time of passage of this Ordinance.
3. That pursuant to law all rights and privileges possessed by any public utility are hereby reserved and exempted from the effects of this Ordinance.
4. That a copy of this Ordinance together with a certified copy of the proof of publication shall be filed with the Township Clerk and the proper County office according to law.
5. After introduction, this Ordinance shall be referred to the Township Planning Board for review and comment pursuant to N.J.S.A. 40:55D-26, -32 and -33 since it is a vacation.
6. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

7. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2, provided, however that notice as to introduction and public hearing shall be made , pursuant to N.J.S.A. 40:49-6 at least (10) days prior to the public hearing and adoption hereof.
8. Notice of the introduction of this Ordinance and the time and place when and where this Ordinance will be further considered for public hearing and final passage, including a copy of this ordinance, shall be mailed to every person whose lands may be affected by this Ordinance, so far as same may be ascertained, directed to the last known post-office address, in accordance with the provision of N.J.S.A. 40:49-6.
9. Within sixty (60) days after adoption of this Ordinance, the Township Clerk shall cause this Ordinance, certified under the seal of the Township, to be filed in the office wherein conveyances of lands are recorded in the County of Passaic.
10. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
11. This Ordinance shall take effect immediately after final passage and publication in the accordance with the laws of the State of New Jersey.
12. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.
13. This Ordinance may be renumbered for purposes of codification.

Introduced: January 17, 2024
Adopted: February 14, 2024
Effective Date: March 5, 2024

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

By: _____
Michele Dale, Mayor