

TOWNSHIP OF HAMILTON

ORDINANCE NO.: # 1873 -2018

**AN ORDINANCE VACATING CERTAIN PORTIONS
OF THOSE PUBLIC ALLEYS KNOWN AS
SECOND STREET AND THIRD STREET SITUATED
IN BLOCK 229, LOTS 3 AND 4; BLOCK 232, LOTS 1, 2 AND 3;
BLOCK 232, LOTS 4, 5, 6, 7 AND 8 AND BLOCK 235,
LOTS 1, 4 AND 5, AS SHOWN ON THE TAX MAP
OF THE TOWNSHIP OF HAMILTON, COUNTY OF
ATLANTIC AND STATE OF NEW JERSEY AND RELEASING
AND EXTINGUISHING THE PUBLIC RIGHTS THEREIN**

BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

SECTION 1. A portion of that portion of a certain public alley known as Second Street, situate in the Township of Hamilton, County of Atlantic and State of New Jersey is hereby vacated. The metes and bounds description of the aforesaid public street to be vacated is as follows:

BEGINNING at the point of intersection where the southeast line of Second Street (50 ft. wide) is intersected by the northeast line of Blueberry Road [formerly known as Second Road] (50 ft. wide) and extending thence,

- 1) North 47 degrees 59', 47" West along the northeast line of Blueberry Road [formerly known as Second Road], 50.00 feet to a point in the northwest line of Second Street, thence
- 2) North 42 degrees 00' 13" East along the northwest line of Second Street, 3,385.00 feet more or less to a point in the division line between Hamilton Township and Mullica Township, thence
- 3) Southeast, in and along said division line, 50.00 feet more or less to a point in the southeast line of Second Street, thence
- 4) South 42 degrees 00' 13" West, in and along the southeast line of Second Street, 3,385.00 feet more or less to the point and place of beginning.

SECTION 2. A portion of that portion of a certain public alley known as Third Street,

situate in the Township of Hamilton, County of Atlantic and State of New Jersey is hereby vacated. The metes and bounds description of the aforesaid public street to be vacated is as follows:

BEGINNING at the point of intersection where the southeast line of Third Street (50 ft. wide) is intersected by the northeast line of Blueberry Road [formerly known as Second Road] (50 ft. wide) and extending thence

- 1) North 47 degrees, 59' 47" West along the northeast line of Blueberry Road [formerly known as Second Road], 50.00 feet to a point in the northwest line of Third Street, thence
- 2) North 42 degrees 00' 13" East along the northwest line of Third Street, 3,395.00 feet more or less to a point in the division line between Hamilton Township and Mullica Township, thence
- 3) Southeast, in and along said division line, 50.00 feet more or less to a point in the southeast line of Third Street, thence
- 4) South 42 degrees 00' 13" West, in and along the southeast line of Third Street, 3,395.00 feet more or less to the point and place of beginning.

SECTION 3. The public rights arising from any dedication of the aforementioned portion of said public street be and the same hereby are released and extinguished. However, any and all rights and privileges presently possessed by public utilities as defined in N.J.S.A. 48:2-13, and by any cable television company as defined in the "Cable Television Act" (N.J.S.A. 48:5A-1 et. seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street or streets being vacated herein are expressly reserved and excepted from this Ordinance.

SECTION 4. The Township Clerk shall immediately after passage and publication of this Ordinance, make and file in the Office of the Clerk of Atlantic County a copy of this Ordinance, together with a copy of the proof of publication hereof, duly certified by her, under the corporate seal of the Township of Hamilton, for record, as required by law.

SECTION 5. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision

shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 6. All Ordinances and parts of Ordinances of Hamilton Township heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 7. This Ordinance shall take effect immediately upon final passage and publication.

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY

ATTEST:

Rita Martino, RMC, CMR
Township Clerk

Art Schenker, Mayor

COMMITTEE MEMBER	MOTION	YES	NO	ABSTAIN	ABSENT
GUISHARD					
KURTZ					
LINK					
SILVA					
MAYOR SCHENKER					

FIRST READING AND INTRODUCTION: February 5, 2018

FINAL READING AND ADOPTION: