

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2014-14

An Ordinance of the Township of Bordentown Vacating the Public Interest in a portion of a certain Access Easement located in the Township of Bordentown, Burlington County, New Jersey

WHEREAS, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 states that where there has been a dedication of lands as a public place and the same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication

WHEREAS, the Township Committee of the Township of Bordentown finds and determines that a portion of a certain Access Easement as further and particularly described in Section 2 of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey as follows:

Section 1. Statutory Authority: This Ordinance is enacted pursuant to the authorization provided in N.J.S.A. 40:67-1 et seq.

Section 2. Findings and Vacation: The portion of a certain Access Easement located in the Township of Bordentown, Burlington County, New Jersey, described as follows:

ALL THAT CERTAIN easement situate in Proposed Lot 197 of Block 138.06 in the Township of Bordentown, the County of Burlington and the State of New Jersey being more particularly described as follows:

BEGINNING at a point in the proposed curved northwesterly line of realigned Bordentown-Hedding Road (66.00 feet wide), said point being on a curve to the right having a radius of 817.00 feet through a central angle of 6° 18' 26" Southwestwardly, an arc distance of 89.84 feet from where the same is intersected by the division line between

Proposed Block 138.06, Lots 197 & 198 as illustrated on a certain plan entitled "Final Plat-Major Subdivision for Central Crossings Business Park" prepared by Maser Consulting P.A. dated August 16, 2002 revised to October 2, 2003 and from said beginning point runs; thence, along the proposed curved northwesterly line of Bordentown-Hedding Road on a curve to the right having a radius of 817.00 feet through a central angle of 2° 06' 16" on a chord bearing South 23° 27' 51" West, 30.01 feet (1) Southwestwardly, an arc distance of 30.01 feet to a point in the same; Thence, through Proposed Block 138.06, Lot 197 the following seven course: (2) North 67° 35' 17" West, 27.15 feet to a point of curvature; Thence, on a curve to the right having a radius of 100.00 feet through a central angle of 51° 50' 01" on a chord bearing North 41° 40' 17" West, 87.41 feet (3) Northwestwardly, an arc distance of 90.47 feet to a point of reverse curvature; Thence, on a curve to the left having a radius of 470.00 feet through a central angle of 26° 34' 34" on a chord bearing North 29° 02' 33" West, 216.06 feet (4) Northwestwardly, an arc distance of 218.01 feet to a point of tangency; thence, (5) North 42° 19' 50" West, 579.07 feet to a point of curvature; Thence, on a curve to the left having a radius of 200.00 feet through a central angle of 7° 38' 48" on a chord bearing North 46° 10' 36" West, 26.67 feet (6) Northwestwardly, an arc distance of 26.69 feet to a point of tangency; Thence, (7) North 49° 58' 21" West, 926.63 feet to a point; Thence, (8) North 76° 09' 36" West, 3.02 feet to a point in the southeasterly line of Block 138.06, Lot 137 (erroneously shown as Lot 72); Thence, along Lot 137 (9) North 13° 50' 24" East, 30.00 feet to a point in the same; Thence, through the aforementioned Proposed Block 138.06, Lot 197 the following seven courses: (10) South 76° 09' 36" East, 10.06 feet to a point; Thence, (11) South 49° 58' 21" East, 933.54 feet to a point of curvature, Thence, on a curve to the right having a radius of 230.00 feet through a central angle of 7° 38' 48", on a chord bearing South 46° 10' 36" East, 30.67 feet (12) Southwestwardly, an arc distance of 30.70 feet to a point of tangency; Thence, (13) South 42° 19' 50" East 579.07 feet to a point of curvature; Thence, on a curve to the right having a radius of 500.00 feet through a central angle of 26° 34' 34" on a chord bearing South 29° 02' 33" East, 229.85 feet (14) Southwestwardly, an arc distance of 231.92 feet to a point of reverse curvature; Thence, on a curve to the left having a radius of 70.00 feet through a central angle of 51° 50' 01" on a chord bearing South 41° 40' 17" East, 61.19 (15) Southwestwardly, an arc distance of 63.33 feet to a point of tangency; Thence, (16) South 67° 35' 17" East, 27.70 feet to the point and place of beginning.

SAID ABOVE DESCRIBED tract of land being a proposed 30.00 feet wide utility and emergence access easement.

Note – This description is intended to abandon the utility and access easement dated November 25, 2003, and filed in the Burlington County Clerk's Office on December 23, 2003, and recorded in the Burlington County Clerk's Office on January 12, 2004 in Deed Book 6133 at Page 263.

Section 3. Within sixty (60) days of the effective date of this ordinance, the Township Clerk shall file a certified true copy of this ordinance and a copy of the proof or publication with the office of the Burlington County Clerk.

Section 4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 5. All ordinances or parts of ordinances of the Township of Bordentown heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

TOWNSHIP OF BORDENTOWN

Stephen Benowitz, Mayor

Colleen M. Eckert, R.M.C.,
Township Clerk

INTRODUCED: APRIL 7, 2014
ADOPTED: APRIL 21, 2014