

ORDINANCE NO. 2014-08

**ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF BARNEGAT, COUNTY OF
OCEAN, STATE OF NEW JERSEY, VOIDING AND
RESCINDING ORDINANCE 1996-15 WHICH
ERRONEOUSLY VACATED ALL RIGHT TITLE
AND INTEREST OF THE TOWNSHIP IN AN
UNIMPROVED RIGHT OF WAY**

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

SECTION 1. The Township Committee hereby declares void and rescinds Ordinance 1996-15, which erroneously vacated all rights, title and interest of the Township in a right of way. The Ordinance, which was adopted by the Township Committee in 1996, shall be deemed null and void and all rights, title and interest of the Township in said unimproved right of way shall be deemed valid and extant. The right of way at issue is described as follows:

Being an 80.00 foot wide right of way, designated on the Tax Map of the Township of Barnegat as “Reserved Strip Dedicated for Future Public Highway,” approximately 6,600 feet long as shown on the Barnegat Tax Map, bounded by the Southerly right-of-way line of West Bay Avenue, (Ocean County Highway Route 554) on the North and the municipal boundary line with Stafford Township on the South, also being bounded on the East and West by the following Tax Map Blocks 92.41, 92.46, 92.70, 92.67, 92.68, 92.69, 92.70, 92.75, 92.78, 92.87 and 92.111.

SECTION 2. All other provisions of the Township Code, except as set forth herein, shall remain unchanged.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of

competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall become effective after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat held on the 18th day of February, 2014, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 10th day of March, 2014 at 6:30 p.m., at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

SHARON L. AUER

Acting Township Clerk, Township of Barnegat

CERTIFICATION

I, **SHARON AUER**, Acting Township Clerk of the Township of Barnegat, do hereby certify that the foregoing ordinance was duly adopted on second reading by the Township Committee of Barnegat Township at a meeting held on the ____ day of _____, 2014.

SHARON L. AUER

Acting Township Clerk, Township of Barnegat