

**ORDINANCE 2015 - 04**

**AN ORDINANCE OF THE TOWNSHIP OF BARNEGAT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING  
FOR THE VACATION OF A PORTION OF CERTAIN RIGHTS-  
OF-WAYS AND PAPER STREETS LOCATED WITHIN  
BARNEGAT TOWNSHIP, OCEAN COUNTY, NEW JERSEY**

**WHEREAS**, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a right-of-way and/or paper street located within in a portion of Barnegat Township, Ocean County, New Jersey, known as the “Lafayette Estates” area of the Township, a legal description of which is attached hereto and made a part hereof; and

**WHEREAS**, the Township Committee has commissioned the Township Engineer, John J. Hess, P.E., to prepare a legal description of the property to be vacated, which description is attached in a review letter from John J. Hess, P.E., of CME Associates dated April 16, 2015; and

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

**SECTION 1:** The public rights and interests are hereby vacated with respect to the portion of right-of-ways and paper streets, as described in the legal description prepared by John J. Hess, P.E. dated April 16, 2015.

**SECTION 2:** Be it further ordained that all the rights of any and all public utilities and/or cable television companies are hereby expressly reserved and excepted from this vacation.

**SECTION 3:** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held 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.

**SECTION 4:** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 5:** This Ordinance shall take effect after second reading and publication in an official newspaper as required by law.

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on the **4<sup>th</sup> day of May, 2015 at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on the **1<sup>st</sup> day of June, 2015, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

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**Michele Rivers, RMC, Municipal Clerk**

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,  
KOUTSOURIS & CONNORS**  
Forked River, New Jersey 08731

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**SCHEDULE A**

(Street Rights-of-Ways to be vacated by the Township)

- a) Main Street from Warren Avenue to Pine Avenue.
- b) Morris Avenue from Barnegat Boulevard North to the tract limit.
- c) Warren Avenue from Barnegat Boulevard North to Main Street.
- d) Newark Avenue from Main Street to tract limit.
- e) Harding Avenue from Barnegat Boulevard North to Main Street.
- f) Tuckerton Avenue from Main Street to tract limit.
- g) Garden Avenue from Barnegat Boulevard North to Main Street.
- h) New York Avenue from Main Street to tract limit.
- i) Pike Avenue from Main Street to tract limit.
- j) Surf Avenue from Main Street to tract limit.

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