

ORDINANCE #19-16

ORDINANCE OF THE BOROUGH OF KEYPORT VACATING PORTIONS OF CERTAIN RIGHTS- OF-WAY IDENTIFIED AS WILLIAMSON STREET

WHEREAS, there exists in the Borough of Keyport ("**Borough**"), County of Monmouth, State of New Jersey rights-of-way identified as Williamson Street adjacent to Block 116, Lot 1, Block 133, Lot 1 & Block 132, Lot 1 on the tax map of the Borough and as further depicted on a map on file with the Borough Clerk; and

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 (the "**Act**") authorizes a municipality, by ordinance, to vacate, release and extinguish the public's rights in any portion of a public street, highway, lane or alley, and any portion of a property dedicated as a public street, where the public interest will be better served by releasing those lands or any part thereof from such dedication; and

WHEREAS, the Borough has determined that vacation of portions of the public rights-of-way identified as Williamson Street would be in the best interests of the Borough and its residents as the public rights-of-way are no longer needed or required for public purposes and the Borough's interests would be better served by allowing for a more productive use of Williamson Street; and

WHEREAS, the Mayor and Council of the Borough finds it to be in the best interests of the Borough and its residents to vacate the portions of the public rights-of-way of Williamson Street as shown on a map on file with the Borough Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

Section 1. The foregoing recitals are hereby incorporated as if set forth in full herein.

Section 2. In accordance with the provisions of the Act, the Borough hereby vacates the portions of the public rights-of-way known as Williamson Street as identified a map on file with the Borough Clerk and releases such public rights-of-way from the dedication of the land for public streets or rights of way and extinguished the public right arising from such dedication; provided, however, that all rights and privileges possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c.186, to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, are expressly reserved and excepted from the vacation set forth herein.

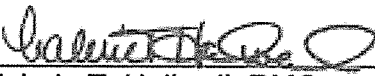
Section 3. The Mayor or Business Administrator, in consultation with Borough staff and professionals, shall take such steps as may be necessary for the Borough to deed the vacated rights-of-way to the adjacent property owners.

Section 4. 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 ten days prior to the public hearing and adoption hereof.

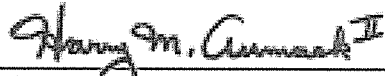
Section 5. Within 60 days after adoption of this Ordinance, the Borough Clerk shall cause this Ordinance, certified by her, under the seal of the Borough to be filed in the office wherein conveyances of lands are recorded in the County of Monmouth.

Section 6. This Ordinance shall take effect as provided by law.

Introduced: August 16, 2016
Public Hearing: September 6, 2016
Adopted: September 6, 2016



Valerie T. Heilweil, RMC
Borough Clerk
Borough of Keyport



Harry M. Aumack, II, Mayor
Borough of Keyport

