

ORDINANCE NO. 12-03
INTRODUCTION DATE: 01-18-12
ADOPTION DATE: 02-15-12

**ORDINANCE VACATING A PORTION OF ANDERSON COURT, TOWNSHIP OF
MILLSTONE, MONMOUTH COUNTY, NEW JERSEY.**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth and State of New Jersey as follows.

I

WHEREAS, there currently exists a street in the Township of Millstone known as Anderson Court; and

WHEREAS, Anderson Court was originally constructed as a through street from Schoolhouse Road to Millstone Road, but was subsequently converted into a cul-de-sac, thereby eliminating access to Millstone Road; and

WHEREAS, due to the conversion of the through street into a cul-de-sac, there is approximately 100 feet of roadway which is no longer usable; and

WHEREAS, the unusable portion of Anderson Court has become overgrown with grass and weeds, causing rain water to pond on the roadway which attracts mosquitoes; and

WHEREAS, since the unusable portion of Anderson Court serves no public purpose, it should be vacated; and

WHEREAS, N.J.S.A. 40:67-1b provides the means whereby a municipality may vacate any street or part thereof.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millstone that the existing right-of-way on Anderson Court, Millstone Township, as described

on the metes and bounds descriptions annexed hereto as Schedule A (Block 39.01, Lot 23.01) and Schedule B (Block 39.02, Lot 1), and the sketch attached hereto as Schedule C, be vacated.

BE IT FURTHER ORDAINED that the effect of this Ordinance shall be to vacate all public rights to the portion of the right-of-way described on Schedules A, B and C, except all rights and privileges now 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 portion of the right-of-way to be vacated hereby.

BE IT FURTHER ORDAINED that the Township Clerk is hereby authorized and directed to do the following:

1. Publish a copy of this Ordinance in an official newspaper of the municipality, together with a notice of the introduction thereof and the time and place when and where this Ordinance will further be considered for final passage, such publication to be at least 10 days prior to the time fixed for further consideration of this Ordinance for final passage.

2. Send, by certified mail, return receipt requested, a copy of this Ordinance, together with the notice of the introduction thereof, the time and place when and where this Ordinance will be considered for final passage, as well as a copy of Schedules A, B and C attached hereto, to the following respective property owners:

- (a) Block 39.01, Lot 23.01, Terrence Martin, 2 Anderson Court, Millstone Township, New Jersey, 08510.

- (b) Block 39.02, Lot 1, Luis and Claudia Alvarado, 3 Anderson Court, Millstone Township, New Jersey, 08510.

3. Publish in an official newspaper of this municipality notice of the passage of this Ordinance by title.

4. Within 60 days after this Ordinance becomes effective, file a copy of this Ordinance, certified by the Township Clerk to be a true copy, under the seal of the Township of Millstone, together with a copy of the proof of publication thereof, in the office of the County Clerk, to be recorded in a book entitled “Vacations”.

II

Since this Ordinance is not legislative in nature, it need not be codified in the “Revised General Ordinances of the Township of Millstone.”

III

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance Vacates a portion of Anderson Court which is no longer needed for public purposes.