

TOWNSHIP OF HAINESPORT
ORDINANCE NO. 2011-10-9
ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC
RIGHTS TO INDUSTRIAL BOULEVARD

WHEREAS, pursuant to N.J.S.A. 40:67-1 et seq., the Township Committee of the Township of Hainesport, County of Burlington, may vacate any public street or any portion thereof, in order to serve the interests of the residents of the Township; and

WHEREAS, the governing body has determined that the public interest will best be served by vacating Industrial Boulevard, which is an inactive street; and

WHEREAS, pursuant to New Jersey statutes, the governing body must, by ordinance, preserve the public utilities' right to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property to be vacated; and

WHEREAS, the Township Committee has decided to vacate Industrial Boulevard which is contiguous to certain lots, which are identified below by reference to the respective block and lot references on the Official Tax Map of Hainesport Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hainesport in the County of Burlington, State of New Jersey as follows:

Article I. Authorization of Street Vacation. The Township Committee of the Township of Hainesport hereby vacates Industrial Boulevard which borders the following properties, identified by the respective block and lot references on the Official Tax Map of Hainesport Township:

- A. Block 096, Lots 1.02
- B. Block 096, Lot 1.03
- C. Block 096, Lot 1.07
- D. Block 96.01, Lot 001
- E. Block 096.02, Lot 001

Article II. Reservation of Rights. Pursuant to N.J.S.A. 40:67-1(b), there is hereby reserved from said street vacation the rights of any public utility company or cable television company to maintain, repair and replace any existing facilities located within the entire Right-Of-Way of said streets, together with the right of ingress and egress over and upon the same in order to carry out such purposes.

Article III. Fire Protection Reservation of Rights. The rights and privileges of the

Township of Hainesport, and any and all fire companies authorized by the Township of Hainesport to perform fire protection services in the municipality to maintain, repair, and replace any existing fire hydrants; and the right and privilege to make use of said fire hydrants, and to have access to, and ingress to and egress from said fire hydrants, are hereby expressly reserved and excepted from this street vacation.

Article IV. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

- C. Effective Date. This Ordinance shall take effect sixty (60) days after final passage and publication as provided by law, and shall be recorded in the Burlington County Clerk's Office within that time.

**HAINESPORT TOWNSHIP
NOTICE FOR PUBLIC HEARING
ORDINANCE NO. 2011-10-9**

ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS TO INDUSTRIAL BOULEVARD WHICH BORDERS THE FOLLOWING PROPERTIES, IDENTIFIED BY THE RESPECTIVE BLOCK AND LOT REFERENCES ON THE OFFICIAL TAX MAP OF HAINESPORT TOWNSHIP:

- A. Block 096, Lots 1.02
- B. Block 096, Lot 1.03
- C. Block 096, Lot 1.07
- D. Block 96.01, Lot 001
- E. Block 096.02, Lot 001

The Ordinance published herewith was introduced and passed upon first reading at the regular meeting of the Township Committee of the Township of Hainesport held on September 13, 2011. It will be further considered for final passage after a public hearing at the regular meeting to be held on October 4, 2011 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 7:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

Dated:

Paul J. Tuliano, Jr.

Township Administrator/Clerk

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher	X		X			
Porto		X	X			
Fitzpatrick			X			
Dickinson			X			
MacLachlan			X			

HAINESPORT TOWNSHIP

NOTICE OF FINAL PASSAGE

ORDINANCE NO. 2011-10-9

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- D. Block 96.01, Lot 001
- E. Block 096.02, Lot 001

Notice is hereby given that Ordinance 2011-10-9 as entitled above has been finally adopted on final reading by the governing body of Hainesport Township after a public hearing at a meeting held on November 9, 2011. Said Ordinance shall take effect in accordance with law.

ATTEST:

Dated: _____

Paul J. Tuliano, Jr.
Township Administrator/Clerk

ACKNOWLEDGEMENT OF
APPROVAL BY:

Dated: _____

Michael Dickinson
Mayor of Hainesport Township

	Motion	Second	Ayes	Nays	Abstention	Absent
Boettcher		X	X			
Porto			X			
Fitzpatrick			X			
Dickinson			X			
MacLachlan	X		X			

Introduced: September 13, 2011
First Publication: September 16, 2011
Adoption: November 9, 2011
Final Publication: November 13, 2011