

TOWNSHIP OF HAINESPORT
ORDINANCE NO. 2023-5
ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND
ALL PUBLIC RIGHTS TO A PORTION OF MARYLAND AVENUE

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 a portion of Maryland Avenue, which has no public purpose, and which are identified below by reference to the respective block and lot references on the Official Tax Map; 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

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 that paper street portion of Maryland Avenue which borders the following properties, identified by the respective block and lot references on the Official Tax Map of Hainesport Township:

- A. Block 53, Lot 9
- B. Block 68, Lot 1

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.

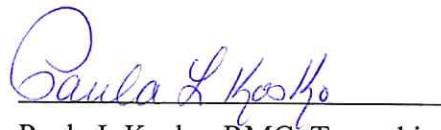
- A. Repealer. Any and all Ordinances inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable 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.

**NOTICE OF PUBLIC HEARING
HAINESPORT TOWNSHIP
ORDINANCE NO. 2023-5**

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ALL PUBLIC RIGHTS TO PORTION OF MARYLAND AVENUE**

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 May 9, 2023. It will be further considered for final passage after a public hearing at the regular meeting to be held on June 13, 2023 at the Municipal Building, One Hainesport Centre, Hainesport, New Jersey at 6:30 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: *May 9, 2023*



Paula L Kosko, RMC, Township Clerk
Administrator

	Motion	Second	Ayes	Nays	Abstention	Absent
Levinson		X	X			
Gilmore	X		X			
Montgomery			X			
Evans			X			
Clauss						X

NOTICE OF FINAL PASSAGE

TOWNSHIP OF HAINESPORT

ORDINANCE NO. 2023-5

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Notice is hereby given that Ordinance No. 2023-5 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 June 13, 2023. Said Ordinance shall take effect immediately in accordance with law.

ATTEST:



Paula L Kosko, RMC, Township Clerk
Administrator/Clerk

Dated: 06.13.23

ACKNOWLEDGEMENT OF
APPROVAL BY:



Gerard Clauss
Mayor Hainesport Township

Dated: 6/13/23

	Motion	Second	Ayes	Nays	Abstention	Absent
Levinson	X		X			
Gilmore			X			
Montgomery		X	X			
Evans			X			
Clauss			X			

Introduced: May 9, 2023

First Publication: May 14, 2023

Adoption: June 13, 2023

Final Publication: June 19, 2023