

ORDINANCE #20-16

ORDINANCE OF THE BOROUGH OF KEYPORT
VACATING A PORTION OF DIVISION STREET FROM
MONROE STREET TO NJ ROUTE 36

WHEREAS, N.J.S.A. 40:67-1(b) (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 a portion of Division Street from Monroe Street to NJ Route 36 is 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 Division 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 a portion of Division Street from Monroe Street to NJ Route 36 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 a portion of Division Street from Monroe Street to NJ Route 36 as identified on the map on file with the Borough Clerk and releases such street from the dedication of the land for public streets or rights of way and extinguishes 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 vacate a portion of Division Street from Monroe Street to NJ Route 36.

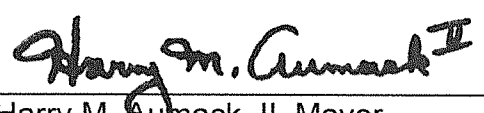
Section 4. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten days prior to the public hearing and adoption hereof.

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: September 6, 2016
Public Hearing: September 20, 2016
Adopted: September 20, 2016


Valerie T. Heilweil, RMC
Borough Clerk
Borough of Keyport


Harry M. Aumack, II, Mayor
Borough of Keyport



JOHN H. ALLGAIR, P.E., P.P. (1983-2001)
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
BEHRAM TURAN, P.E.
TREVOR J. TAYLOR, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.

HKP00003

September 16, 2016

**Description of Vacation
Division Street (40 foot wide Right-of-Way)
Borough of Keyport, Monmouth County, New Jersey**

Description of a 40 foot wide and variable width strip of land being a portion of Division Street (40 foot wide Right-of-Way-TM), situate, lying and being in the Borough of Keyport, County of Monmouth, State of New Jersey to be vacated and being more particularly described as follows:

BEGINNING at a point on the westerly line of Division Street (40 foot wide Right-of-Way-TM), said point being the intersection of said westerly line of Division Street with the southerly line of Monroe Street (40 foot wide Right-of-Way-TM), said point also being the most northeasterly corner of Lot 1.01 in Block 69 and from said Point of Beginning proceeding; thence,

- 1) North 80° 00' 00" East, (per Deed Book 9166 Page 6795), along the northerly line of Division Street, a distance of 40.00 feet to a point on the easterly line of Division Street, said point also being the most northwesterly corner of Lot 1.02 in Block 70; thence,
- 2) South 10° 00' 00" East, along the said easterly line of Division Street and the common line of Lots 1.02, 2 and 4 in Block 70, a distance of 215.00 feet to a point of curvature; thence,
- 3) Southeasterly, continuing along the easterly line of Division Street, along a curve to the left, having a radius of 25.00 feet, a delta angle of 90° 00' 00", an arc length of 39.27 feet, a chord distance of 36.36 feet and a chord bearing of South 55° 00' 00" East to a point of cusp on the northerly line of State Highway Route #36; thence,
- 4) South 80° 00' 00" West, along said northerly line of State Highway Route #36, a distance of 90 feet to a point of cusp; thence,
- 5) Northeasterly, along the westerly line of Division Street, along a curve to the left, having a radius of 25.00 feet, a delta angle of 90° 00' 00", an arc length of 39.27 feet, a chord distance of 36.36 feet and a chord bearing of North 35° 00' 00" East to a tangency on the westerly line of Division Street; thence,
- 6) North 10° 00' 00" West, along the said westerly line of Division Street and the common line of Lots 4, 3, 2, 1.02 and 1.01 in Block 69, a distance of 215.00 feet to the Point and Place of BEGINNING.

Said description of Division Street (40 foot Wide Right-of-Way) to be vacated containing 9,868 Square Feet (0.23 Acres) of land, more or less.

Said described lands being subject to easements, restriction and agreements of record and such facts as may be disclosed in a full and accurate Title Search into the property-in-question and the immediate adjoiners.

Said described land being subject to any and all public utilities established within the road prior to vacation.

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CONSULTING AND MUNICIPAL ENGINEERS

1460 ROUTE 9 SOUTH, HOWELL, NEW JERSEY 07731 — (732) 462-7400 — FAX: (732) 409-0756





Description of Vacation
Division Street
Borough of Keyport, Monmouth County, New Jersey

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Said described lands being known as Division Street (40 foot Wide Right-of-Way) to be vacated, as shown on the official Tax Map of the Borough of Keyport, Monmouth County, New Jersey.

Intended to vacate all right, title and interest, in and to a portion of the public right-of-way, commonly known as Division Street (40 foot Wide Right-of-Way).

Information used in preparing the above description is as follows:

Tax Map page 3 for the Borough of Keyport, Monmouth County, New Jersey

Deed Book 9166 Page 6795 – Lot 1.01 in Block 69

Deed Book 3317 Page 395 – Lot 1.02 in Block 69

Deed Book 8959 Page 708 – Lot 3 and 4 in Block 69

Deed Book 8923 Page 9721 – Lot 1.02 in Block 70

Deed Book 8578 Page 4004 – Lot 2 in Block 70

Deed Book 8995 Page 5999 – Lot 4 in Block 70

John J. Stefani, P.E., L.S.
Professional Engineer and Land Surveyor
N.J. License No. 24271

JJS:QTL:dr



LOT 1 BLOCK 68

(40' WIDE ROW)

MONROE STREET

P.O.B.

N80°00'00"E

40.00'

100.00'

LOT 1.02 BLOCK 70
N/F MARGARET LA ROSA
DB 8923 PG 9721

LOT 1.01

LOT 1.01 BLOCK 69
N/F ALAN GRABOWSKI
DB 9166 PG 6795

LOT 1

LOT 1.02 BLOCK 69
DB 3317 PG 395

LOT 2 BLOCK 69
N/F HELEN P. HEPBURN
DB 9149 PG 9688

LOT 5

215.18'

LOT 3 BLOCK 69
N/F 93 KEYPORT, L.L.C.
DB 8959 PG 708
(LOTS 3 AND 4)

$\Delta=90^{\circ}00'00''$
 $R=25.00$
 $L=39.27$
 $\tan=25.00$
 $CB=N35^{\circ}00'00''E$
 $CD=36.36$

AREA OF
ROAD VACATION
9,868 SQ. FT.
0.23 ACRES

LOT 2 BLOCK 70
N/F WILLIAM AND
CHRISTINE DESIMAS
DB 8578 PG 4004

LOT 4 BLOCK 70
N/F A.M.E. TRANSIT L.L.C.
DB 8995 PG 5999

LOT 3

$\Delta=90^{\circ}00'00''$
 $R=25.00$
 $L=39.27$
 $\tan=25.00$
 $CB=S55^{\circ}00'00''E$
 $CD=36.36$

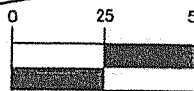
LOT 4 BLOCK 69

S80°00'00"W
90.00'

STATE HIGHWAY ROUTE #36 (66' WIDE AND VARIABLE WIDTH ROW)

THIS SKETCH HAS BEEN PREPARED
ONLY WITH CURRENT DEED PLOTTINGS,
NO FIELD WORK HAS BEEN DONE AT
THIS TIME.

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

SKETCH OF ROAD VACATION
DIVISION STREET
(BETWEEN MONROE STREET AND STATE HIGHWAY ROUTE #36)

BOROUGH OF KEYPORT

MONMOUTH COUNTY, NJ



CONSULTING AND MUNICIPAL ENGINEERS

2141 BORDENTOWN AVENUE, PARLIN, NEW JERSEY 08859 — 1460 ROUTE 9 SOUTH, HOBOKEN, NEW JERSEY 07030-1004

JOHN H. ALLGAIER P.E., P.P.

NJ PP LIC NO. 12612

NJ PP LIC NO. 1899

DAVID J. SAMUEL P.E., P.P.

NJ PP LIC NO. 22520

NJ PP LIC NO. 2423

JOHN J. STEFANI P.E., L.S. & P.P.

NJ PP LIC NO. 24271

NJ PP LIC NO. 2659

JAY B. CORNELL P.E., P.P.

NJ PP LIC NO. 2892

NJ PP LIC NO. 3074

MICHAEL J. McCLELLAND P.E., P.P.

NJ PP LIC NO. 30948

NJ PP LIC NO. 3779

GREGORY R. VALES P.E., P.P.

NJ PP LIC NO. 34088

NJ PP LIC NO. 4051

DATE: 9/16/16

DRAWN BY: QTL

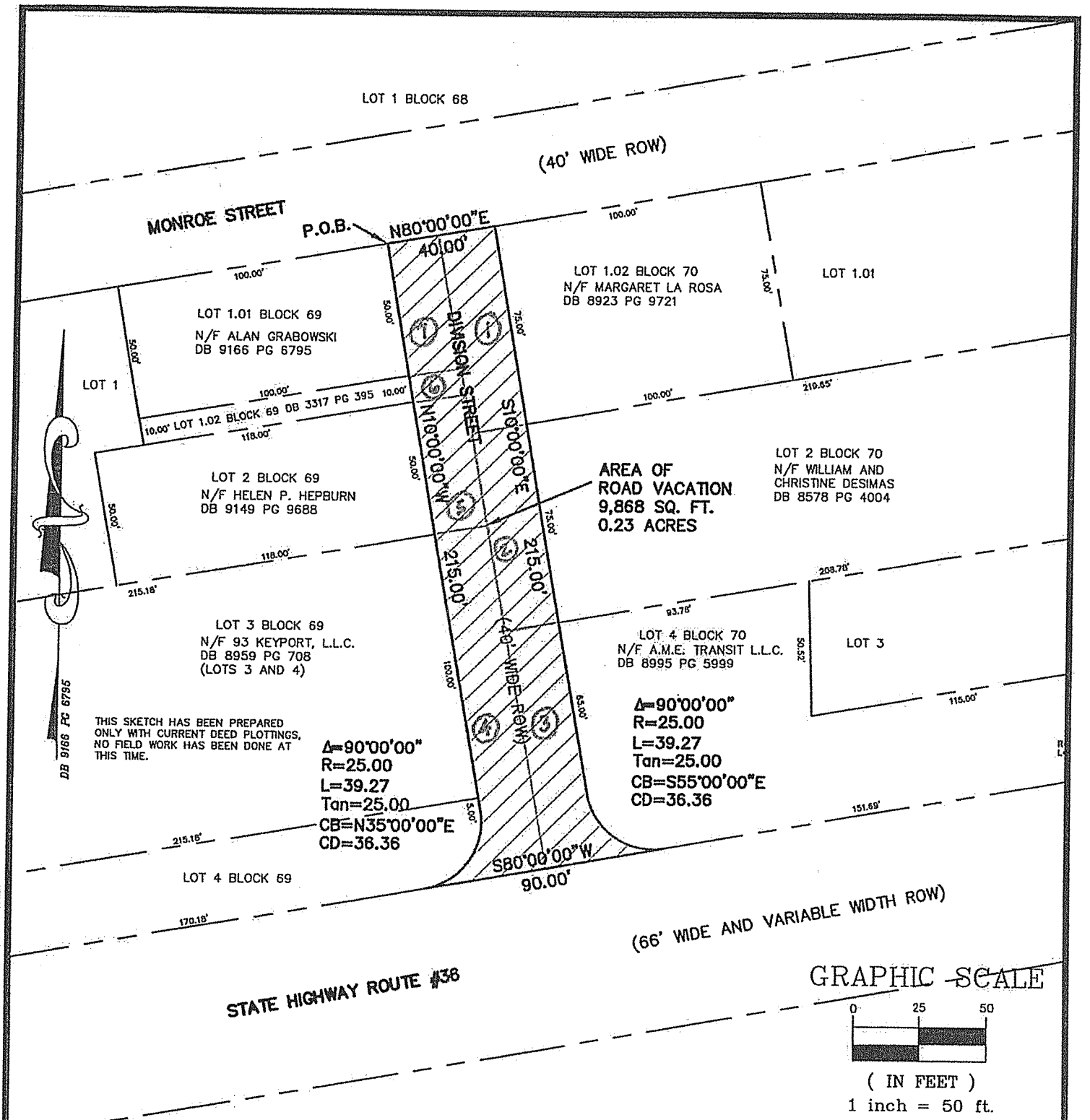
CHECKED BY:



SCALE: 1"=50'

FILE NO: KP0003

JOHN J. STEFANI

N.J. PROFESSIONAL ENGINEER & LAND SURVEYOR LIC. NO. 24271



 JOHN J. STEFANI N.J. PROFESSIONAL ENGINEER & LAND SURVEYOR LIC. NO. 24271	SKETCH OF ROAD VACATION DIVISION STREET (BETWEEN MONROE STREET AND STATE HIGHWAY ROUTE #38) BOROUGH OF KEYPORT  CONSULTING AND MUNICIPAL ENGINEERS 2541 BORDENTOWN AVENUE, PARLIN, NEW JERSEY 08859 1440 ROUTE 9 SOUTH, HOWELL, NEW JERSEY 07721-1194			
	JOHN H. ALLGAR P.E., P.P. NJ PE LIC NO. 13012 NJ PP LIC NO. 1899	DAVID J. SAMUEL P.E., P.P. NJ PE LIC NO. 28800 NJ PP LIC NO. 3435	JOHN J. STEFANI P.E., L.S. & P.P. NJ PE LIC NO. 24271 NJ PP LIC NO. 3889	
	JAY B. CORNELL P.E., P.P. NJ PE LIC NO. 32752 NJ PP LIC NO. 3574	MICHAEL J. MCLELLAND P.E., P.P. NJ PE LIC NO. 32465 NJ PP LIC NO. 3770	GREGORY R. VALES P.E., P.P. NJ PE LIC NO. 34408 NJ PP LIC NO. 4061	
	DATE: 9/16/16	DRAWN BY: QTL	CHECKED BY:	SCALE: 1"=50'