

ORDINANCE NO. 2005-1020

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE DEDICATION OF LAND AS A PUBLIC INTEREST IN PORTIONS OF WILLIAM STREET AND RAILROAD PLACE IN THE BOROUGH OF MANVILLE, IN THE COUNTY OF SOMERSET AND STATE OF NEW JERSEY.

BE IT ORDAINED by the Mayor and Council of the Borough of Manville in the County of Somerset and State of New Jersey, as follows:

SECTION 1. VACATION OF A PORTION OF WILLIAM STREET

Any dedication of land as a public street within the boundaries of William Street, in the Borough of Manville, County of Somerset and State of New Jersey, as more particularly described in Schedule "A", annexed hereto and made a part hereof, is hereby rejected, released, extinguished and forever vacated.

SECTION 2. VACATION OF A PORTION OF RAILROAD PLACE

Any dedication of land as a public street within the boundaries of Railroad Place, in the Borough of Manville, County of Somerset and State of New Jersey, as more particularly described in Schedule "B", annexed hereto and made a part hereof, is hereby rejected, released, extinguished and forever vacated.

SECTION 3. RESERVATION OF PERPETUAL EASEMENT

A perpetual easement is hereby reserved pursuant to the provisions of *N.J.S.A. 40:67-1(b)* for the benefit of public utility companies as defined in *N.J.S.A. 48:2-13*, and for any cable television companies as defined in *N.J.S.A. 48:5A-1*, for the purpose of maintaining, repairing and replacing existing facilities in, adjacent to, over and under the premises being herein vacated.

SECTION 4. CONSTRUCTION

Where consistent with the context in which used in this ordinance, words importing the singular shall include the plural; words importing the plural shall include the singular; and, words importing one gender shall include all other genders.

SECTION 5. INCONSISTENCY

Should any provision of this ordinance be inconsistent with the provisions of any prior ordinances, the inconsistent provisions of said prior ordinances are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6. SEVERABILITY

In the event that any provision of this ordinance, or the application thereof to any person or circumstance is declared invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other provision or application of this ordinance which may be given effect, and, to realize this intent, the provisions and applications of this ordinance are declared to be severable.

SECTION 7. PURPOSE OF CAPTIONS

Captions contained in this ordinance have been inserted only for the purpose of facilitating reference to the various sections, and are not intended and shall not be utilized to construe the intent and meaning of the text of any section.

SECTION 8. EFFECTIVE DATE

This ordinance shall be effective immediately upon final adoption, approval and publication in accordance with law.

Borough of Manville

Angelo Corradino, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

STATEMENT OF PURPOSE

The purpose of this Ordinance is to vacate those portions of William Street and Railroad Place which intersect with each other forming a right angle bordering the tract upon which the Public Works facility is located and thereby providing for the safety of the employees and other persons at the location.

SCHEDULE "A"

Name of Street**Location**

William Street
Lots # 1 & 2
Block # 150

From a point One Hundred Twenty (120') feet east of Gladys Avenue and extending to its easternmost terminus.

SCHEDULE "B"

Name of Street**Location**

Railroad Place
Lot # 1
Block # 150

From the prolongation of the southerly curb line of William Street and extending to a point One Hundred (100') feet from The southerly intersection of William Street and Railroad Place.

ORDINANCE #2005-1020

FIRST READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
√		ASHER	√			
		OTRIMSKI	√			
		PETROCK	√			
	√	PETRONE	√			
		WEISS	√			
		MAYOR CORRADINO				

PASSED this 14th day of **November**, 2005.

Attest:

Philip E. Petrone, Borough Clerk

SECOND READING:

Introduced	Seconded	Council	Yes	No	Abstain	Absent
		ALLAN	√			
√		ASHER	√			
		OTRIMSKI	√			
	√	PETROCK	√			
		PETRONE	√			
		WEISS	√			
		MAYOR CORRADINO				

PASSED this 28th day of **November**, 2005.

Attest:

Philip E. Petrone, Borough Clerk