

Explanation: This Ordinance vacates all of the right, title and interest of the Township of Warren in certain portions Gregory Lane as currently identified on the Official Tax Map of the Township of Warren.

**TOWNSHIP OF WARREN
ORDINANCE NO. 17-17**

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC PORTIONS OF GREGORY LANE, AND CONSOLIDATING THE VACATED AREAS WITH ADJACENT PROPERTIES ESTABLISHED PURSUANT TO A MAJOR SUBDIVISION APPROVAL GRANTED TO DR. MOHAMMED AND CATHERINE SARRAF.

WHEREAS, there exist in the Township of Warren a street known as “Gregory Lane” as shown on the Official Tax Map of the Township of Warren; and

WHEREAS, a request has been made to vacate certain portions of Gregory Lane in connection with the approval by the Warren Township Planning Board of a preliminary major subdivision application (the “Application”) of Dr. Mohammed and Catherine Sarraf; and

WHEREAS, a portion of Gregory Lane to be vacated is described in the “Property Description Portion of ROW (Shaded Area) to be vacated & annexed to future adjoining Lot(s) upon extension of Gregory Lane ROW for Final Plat Phase 2” dated August 7, 2017 prepared by Kennon Surveying Services, Inc. attached hereto as Exhibit A; and

WHEREAS, the other portion of Gregory Lane to be vacated is described in the “Property Description Portion of ROW (Shaded Area) to be vacated & annexed to Lot 6.02 upon extension of Gregory Lane ROW for Final Plat Phase 2” dated August 7, 2017 prepared by Kennon Surveying Services, Inc. attached hereto as Exhibit B;

WHEREAS, the vacated portions of Gregory Lane, as more fully described above, shall be merged with the new lots proposed to be created by the Application (the “Proposed New Lots”), which Proposed New Lots shall be created upon the filing of deeds or a map in conformity with the Map Filing Law, N.J.S.A. 46:23-9.9 et seq. as required by the Warren Township Planning Board Resolution approving the Application (the “Resolution of Approval”); and

WHEREAS, the Township Committee of the Township of Warren does hereby determine that the portions of the Gregory Lane to be vacated as described herein are and will no longer be needed for public purposes; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release and extinguish the rights of the public and the rights of the Township in and to the portions of Gregory Lane to be vacated as set forth herein, and as depicted on the Preliminary Major Subdivision Plan dated May 17, 2017 prepared by Page-Mueller Engineering Consultants, P.C. annexed hereto as Exhibit C.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Warren, in the County of Somerset, State of New Jersey, as follows:

SECTION 1. The rights of the public and the rights of the Township in and to the portions of Gregory Lane to be vacated as more fully described in Exhibit A and Exhibit B and as depicted on Exhibit C attached hereto are hereby extinguished and vacated.

SECTION 2. There is expressly reserved and excepted from vacation 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 street or any part thereof to be vacated.

SECTION 3. There is also expressly reserved and excepted from vacation any sanitary sewer or drainage structures and any easements in, adjacent to, over or under the street or portion thereof to be vacated, including but not limited to a public roadway over the portions of Gregory Lane to be vacated hereby until such time as Gregory Lane is extended in Phase 2 of the aforesaid subdivision. Once Gregory Lane has been extended in Phase 2 of the aforesaid subdivision and accepted for dedication by the Township, the public roadway easements retained by this Ordinance shall be extinguished automatically and without further documentation of any kind or nature whatsoever.

SECTION 4. The Mayor and Township Clerk are hereby authorized to execute any and all documents consistent with this Ordinance for the vacation of the Paper Streets.

SECTION 5. After this Ordinance has been introduced and passed a first reading, the Township Clerk shall cause this Ordinance to be published in the manner set forth in N.J.S.A. 40:49-2 not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage.

SECTION 6. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6, the cost of such mailing to be borne by Dr. Mohammed and Catherine Sarraf.

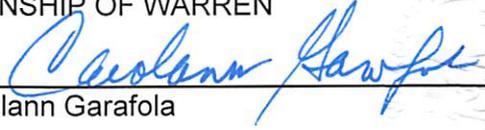
SECTION 7. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by the Township Clerk under seal of the Township to be a true copy thereof, together with a copy of the proof of publication thereof, in the office of the Somerset County Clerk in accordance with the provisions of N.J.S.A. 40:67-21.

ATTEST:

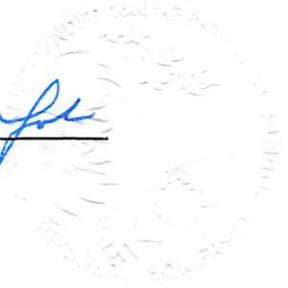


Cathy Reese, RMC
Township Clerk

TOWNSHIP OF WARREN



Carolann Garafola
Mayor



INTRODUCED September 7, 2017

ADOPTED

October 5, 2017

EFFECTIVE

October 12, 2017





KENNON SURVEYING SERVICES, Inc.

P. O. Box 4477, 5 Powder Horn Drive, Suite #4

Phone: 732-564-1818

Warren, New Jersey 07059

Fax: 732-564-9999

Property Description

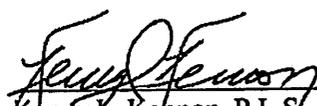
Portion of ROW (Shaded Area) to be vacated & annexed to future adjoining Lot(s) upon extension of Gregory Lane ROW for Final Plat Phase 2
Warren Township
Somerset County, New Jersey

A tract of land being part of Gregory Lane in the Township of Warren, Somerset County, New Jersey as shown on Filed Map # 1363 Mountain View Section Seven and being more particularly described as follows:

Commencing at the intersection of a southerly line of Lot 7, said Block 50 with the easterly line of Gregory Lane; thence,

- A. Along said easterly line North $44^{\circ} 04' 40''$ East 134.51' to the POINT OF BEGINNING of the herein described tract; thence,
 1. Entering said Gregory Lane the following two course along a curve to the left with a radius of 153.94', an arc length of 41.95', a central angle of $15^{\circ} 36' 49''$ whose chord bears North $36^{\circ} 16' 16''$ East 41.82'; thence,
 2. North $28^{\circ} 27' 51''$ East 154.23' to the westerly line of Lot 7, Block 50; thence,
 3. Along said westerly line along a curve to the right with a radius of 50.00', an arc length of 75.73', a central angle of $86^{\circ} 46' 48''$ whose chord bears South $00^{\circ} 41' 17''$ West 68.70'; thence,
 4. Continuing along said westerly line South $44^{\circ} 04' 40''$ West 140.05' to the POINT OF BEGINNING of the herein described tract containing 3,472 square feet or .080 acres more or less.

8/7/17
Date


Kenny L. Kennon, P.L.S.
N.J. License No. 37195



KENNON SURVEYING SERVICES, Inc.

P. O. Box 4477, 5 Powder Horn Drive, Suite #4

Phone: 732-564-1818

Warren, New Jersey 07059

Fax: 732-564-9999

Property Description

Portion of ROW to be vacated & annexed to Lot 6.02 upon extension of Gregory Lane ROW for Final Plat Phase 2 Warren Township Somerset County, New Jersey

A tract of land being part of Gregory Lane in the Township of Warren, Somerset County, New Jersey as shown on Filed Map # 1363 Mountain View Section Seven and being more particularly described as follows:

Beginning at the intersection of a northerly line of Lot 2, said Block 50 with the westerly line of Gregory Lane, thence,

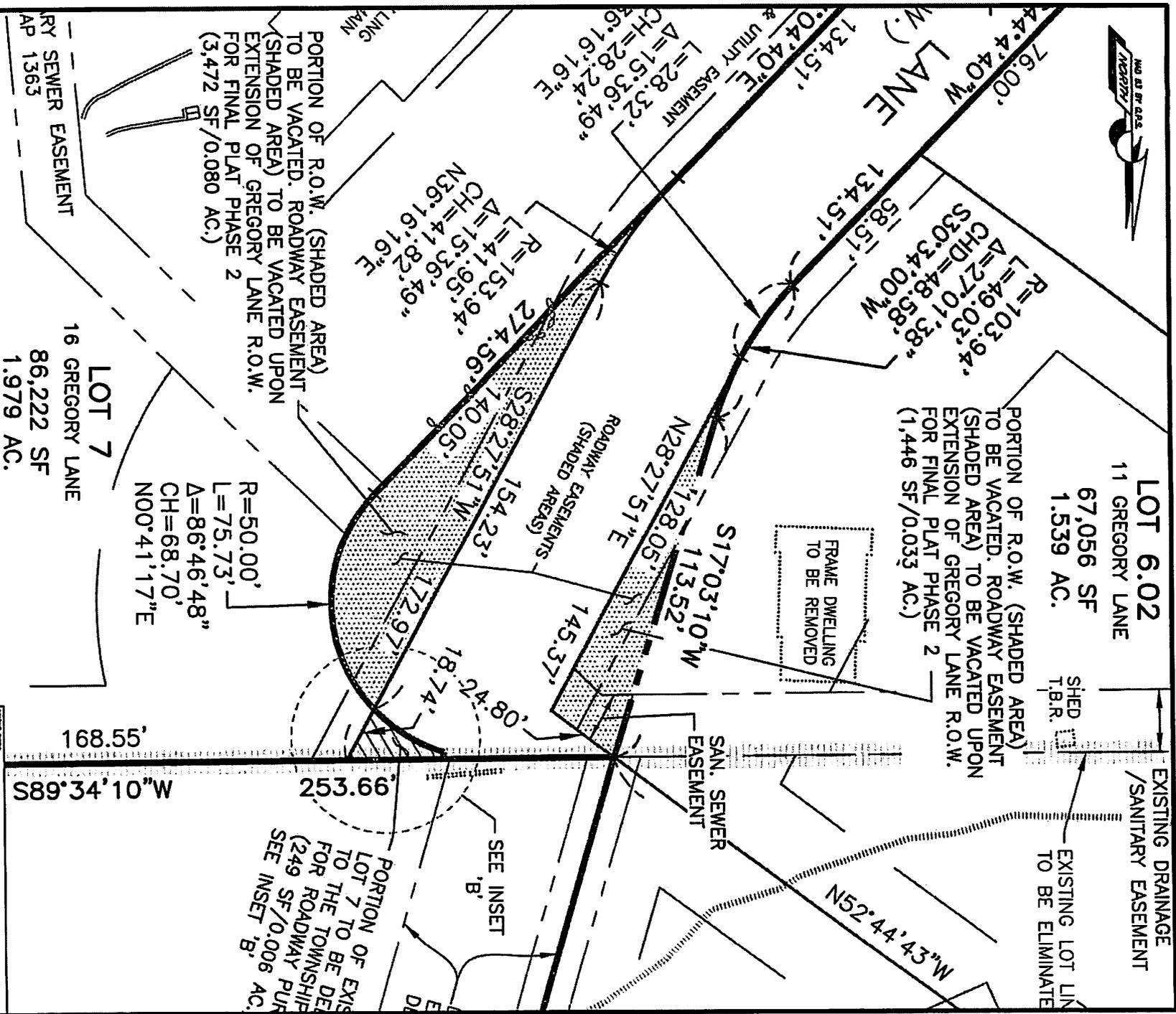
- 1. Entering said Gregory Lane South 52° 44' 43" East 24.80'; thence,
2. South 28° 27' 51" West 128.05' to the easterly line of Lot 2, Block 50; thence
3. Along said easterly line along a curve to the left having a radius of 103.94', an arc length of 20.71', a central angle of 11° 24' 49" whose chord bears North 22° 45' 31" East 20.67'; thence
4. Continuing along said easterly line North 17° 03' 10" East 113.52' to the POINT OF BEGINNING of the herein described tract containing 1,446 square feet or .0033 acres more or less.

8/7/17
Date

[Signature]
Kenny V. Kennon, P.L.S.
N.J. License No. 37195

EXHIBIT C

020 17-17



PLM
 PAUL-MADRILLER ENGINEERING CONSULTANTS, PC
 100 WEST GUYTON ROAD, SUITE 200
 WILMINGTON, DE 19804
 (302) 486-5870 FAX (302) 486-5876

PROJECT NAME: MAJOR SUBDIVISION OF
 BLOCK 50: LOTS 2, 5, & 7
 (TAX MAP SHEETS 39 & 51)
 TOWNSHIP OF WARREN
 SOMERSET COUNTY, NEW JERSEY

PROJECT MAP: R.O.W. VACATION MAP

SHEET NO.: 1 OF 1

DATE: 7/28/17

PROJECT NO.: 1387-010