

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

**TOWNSHIP OF WARREN
ORDINANCE NO. 18-04**

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF A PUBLIC PORTION OF GREGORY LANE AND ANNEXING THE VACATED PORTIONS WITH LOT 6.03, BLOCK 50 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF WARREN.

WHEREAS, there exists 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, on September 25, 2018, Dr. Mohammad Sarraf and Catherine Sarraf (the "Applicants") received from the Warren Township Planning Board final approval for Phase II (the "Phase II Final Approval") of an application for major subdivision of property located at Block 50, Lots 2, 5, 6 & 7 as shown on the on the Tax Map of the Township of Warren; and

WHEREAS, the Phase II Final Approval was memorialized by Resolution PB 14-07 (the "Resolution of Approval") on October 23, 2017, which Resolution of Approval requires a vacation of a certain road right-of-way; and

WHEREAS, a request was made by Applicants to vacate a portion of Gregory Lane as required by the Resolution of Approval; and

WHEREAS, the portion of Gregory Lane to be vacated is described in the "Property Description, Right of Way Vacation/Annex to Lot 6.03, Block 50, Warren Township, Somerset County, New Jersey" dated September 6, 2017 prepared by Kennon Surveying Services, Inc. attached hereto as Schedule A; and

WHEREAS, the vacated portion of Gregory Lane, as more fully described above, shall be merged with Lot 6.03, Block 50 as depicted on the Right of Way Vacation Map dated August 29, 2017 prepared by Page-Mueller Engineering Consultants, P.C. annexed hereto as Schedule B; and

WHEREAS, the portion of Gregory Lane to be vacated as set forth in Schedule A annexed hereto shall be replaced by an easement (the "Right-of-Way Easement") which shall terminate upon the extension of Gregory Lane in accordance with the Resolution of Approval.

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 portion of Gregory Lane to be vacated as set forth herein.

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 portion of Gregory Lane to be vacated as more fully described in Exhibit A and depicted on Exhibit B 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 Right-of-Way Easement over the portion of Gregory Lane to be vacated hereby until such time as Gregory Lane is extended as required by the Resolution of Approval. Once Gregory Lane has been extended in Phase 2 and accepted for dedication by the Township, the Right-of-Way Easement retained by this Ordinance shall be extinguished automatically and without further documentation of any kind or nature whatsoever.

SECTION 4. 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 5. 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 6. 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:

WARREN TOWNSHIP COMMITTEE



Cathy Reese, RMC, Township Clerk

By: 

Victor J. Sordillo

INTRODUCED FEBRUARY 15, 2018
ADOPTED MARCH 15, 2018
EFFECTIVE MARCH 22, 2018



KENNON SURVEYING SERVICES, Inc.

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

Warren, New Jersey 07059

Phone: 732-564-1818

Fax: 732-564-9999

Property Description
Right of Way Vacation/Annex to
Lot 6.03, Block 50
Warren Township
Somerset County, New Jersey

A tract of land being part of the right of Way of Gregory Lane in the Township of Warren, Somerset County, New Jersey as shown on Filed Map #1363 recorded in the Somerset County Clerk's office and being more particularly described as follows:

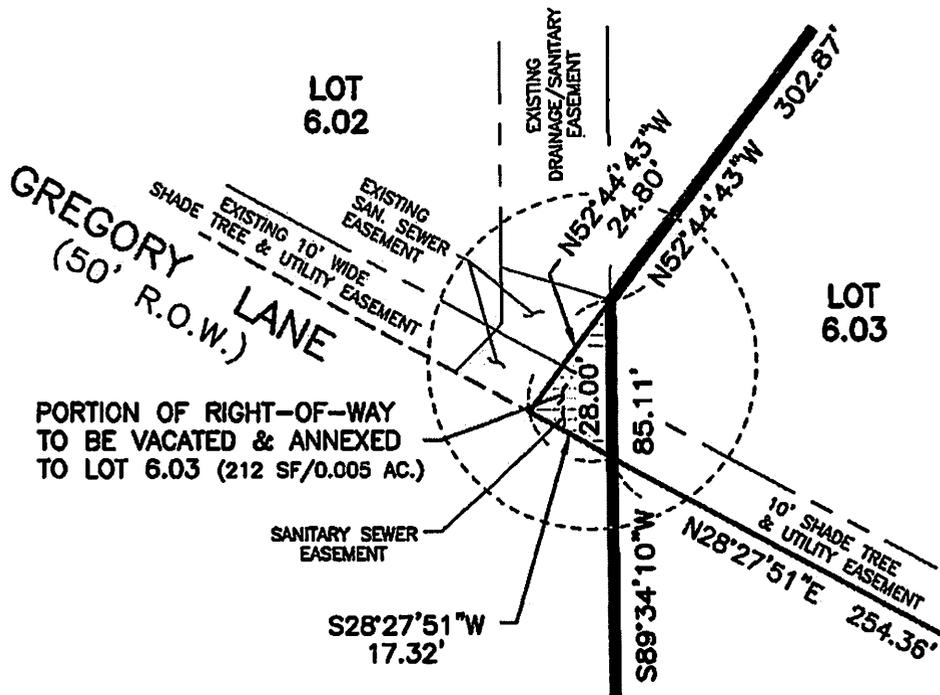
Commencing at the intersection of the easterly line of Lot 1.14, Block 50 and the northerly line of Sunrise Drive; thence,

- A. Along said easterly line North $23^{\circ} 19' 10''$ East 484.77'; thence,
- B. Continuing along the easterly line of Lot 3.02, Block 50 North $21^{\circ} 03' 02''$ East 45.00' to the southerly line of Lot 5.01, Block 50; thence,
- C. Along said southerly line South $52^{\circ} 44' 43''$ East 302.87' to the POINT OF BEGINNING of the herein described tract; thence,
 1. North $89^{\circ} 34' 10''$ East 28.00'; thence,
 2. South $28^{\circ} 27' 51''$ West 17.32'; thence,
 3. North $52^{\circ} 44' 43''$ West 24.80' to the POINT OF BEGINNING of the herein described tract containing 212 square feet.

9/6/17
Date _____


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

Schedule A



INSET 'B'
1"=30'

PORTION OF MAP ENTITLED 'FINAL PLAT (PHASE 2)
PREPARED BY PAGE-MUELLER ENGINEERING
CONSULTANTS, P.C.

Project Name		MAJOR SUBDIVISION OF BLOCK 50: LOTS 5.01, 6 & 7 (TAX MAP SHEETS 50 & 51) TOWNSHIP OF WARREN SOMERSET COUNTY, NEW JERSEY	
Drawing Name		R.O.W. VACATION MAP-PHASE 2	
Drawing No.		1 OF 1	
Drawn by	Checked by	Date	Scale
CAM	KLK	8/29/17	1"= 50'
Project No.		1397-010	

PAGE-MUELLER ENGINEERING CONSULTANTS, P.C.
 POST OFFICE BOX 4619
 WARREN, NEW JERSEY 07059
 (732) 866 - 3970 • FAX (732) 866 - 3970

Schedule B