

ORDINANCE NO. 28-2014

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER VACATING A PORTION OF THE PAPER ROAD KNOWN AS DENNIS AVENUE IN THE TOWNSHIP OF HANOVER, COUNTY OF MORRIS AND STATE OF NEW JERSEY

WHEREAS, there exists in the Township of Hanover an undeveloped paper road known as Dennis Avenue, which is adjacent to property on the Hanover Township Tax Map known as Lot 2, Block 3103 and Block 3101, Lot 9 and is more particularly shown on the Tax Map attached hereto; and

WHEREAS, Dennis Avenue is an undeveloped paper road and the Township has no plans or interest in developing a portion of Dennis Avenue; and

WHEREAS, the Township wishes to release and extinguish the public's rights or whatever ownership rights it has in and to said section of the existing paper road; and

WHEREAS, the Hanover Sewerage Authority does own, operate and maintain a section of sanitary sewer main on and thru that portion of Dennis Avenue to be vacated; and

WHEREAS, the Hanover Township Council does hereby determine that the aforementioned right-of-way as described is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the municipality to release and extinguish the public's rights arising from a dedication of a street or right-of-way; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

1. The rights of the public and the Township of Hanover, whatever they may be, in and to a portion of Dennis Avenue as described by a metes and bounds description set forth in Schedule "A" attached hereto and as depicted on Exhibit "A" attached hereto is hereby extinguished and vacated;

2. The rights of the Hanover Sewerage Authority to own, operate and maintain the sanitary sewer shall be preserved through the filing of a "Sanitary Sewer Easement" as described by a metes and bounds descriptions as set forth in Schedule "B" attached hereto and as depicted on Exhibit "A" attached hereto;
3. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof 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.
4. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Morris in accordance with the provisions of N.J.S.A. 40:67-21.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

DATE OF INTRODUCTION: May 22, 2014
DATE OF ADOPTION: July 10, 2014

Lakeland Surveying, Inc.
117 Hibernia Avenue
Rockaway, NJ 07866
Ph: 973-625-5670
Fx: 973-625-4121

Description of a Portion of Dennis Avenue to be Vacated
Schedule A
The Township of Hanover
County of Morris, New Jersey

BEGINNING at the point of intersection of the southwesterly sideline of Dennis Avenue (50'ROW) and the southeasterly sideline of Herbert Road (50' ROW), and running thence;

- 1) North 32 degrees 58 minutes 00 seconds East 50.00 feet to a point on the northeasterly sideline of Dennis Avenue, thence;
- 2) Along said northeasterly sideline of Dennis Avenue South 57 degrees 02 minutes 00 seconds East 200.00 feet to a point on the northwesterly sideline of Herman Avenue (previously vacated by Ordinance No. 35-86), thence;
- 3) South 32 degrees 58 minutes 00 seconds West 50.00 feet to a point on the southwesterly sideline of Dennis Avenue, thence;
- 4) Along said sideline of Dennis Avenue North 57 degrees 02 minutes 00 seconds West 200.00 feet to the point and place of beginning.

Containing 10,000 S.F,

This description is drawn in accordance with a Map entitled "Proposed Portion of Dennis Avenue Vacation and Sanitary Sewer Easement - Exhibit C" prepared by Lakeland Surveying, Inc. dated 06/11/2014.

Marc J. Cifene, P.L.S..
N.J. Licensee No. GS41329

Jeffrey O. Males, P.L.S.
NJ License No. GS30087

Lakeland Surveying, Inc.
117 Hibernia Avenue
Rockaway, NJ 07866
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Description of a Portion of Sanitary Sewer Easement
Schedule B
The Township of Hanover
County of Morris, New Jersey

BEGINNING at a point being North 32 degrees 58 minutes 00 seconds East 14.30 feet from the intersection of the southwesterly sideline of Dennis Avenue (50' ROW) and the southeasterly sideline of Herbert Road (50' ROW), and running thence;

1) North 32 degrees 58 minutes 00 seconds East 30.00 feet to a point on the northeasterly sideline of Dennis Avenue, thence;

2) South 57 degrees 41 minutes 17 seconds East 200.01 feet to a point on the northwesterly sideline of Herman Avenue (previously vacated by Ordinance No. 35-86), thence;

3) South 32 degrees 58 minutes 00 seconds West 30.00 feet to a point, thence;

4) Along said sideline of Dennis Avenue North 57 degrees 41 minutes 17 seconds West 200.01 feet to the point and place of beginning.

Containing 6,000 S.F.

This description is drawn in accordance with a Map entitled "Proposed Portion of Dennis Avenue Vacation and Sanitary Sewer Easement - Exhibit C" prepared by Lakeland Surveying, Inc. dated 06/11/2014.

Marc J. Cifene, P.L.S..
N.J. Licensee No. GS41329

Jeffrey O. Males, P.L.S.
NJ License No. GS30087

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was submitted in writing at a meeting of the Township Committee of the Township of Hanover, in the County of Morris and State of New Jersey, held on the 22nd day of May, 2014, introduced and ready by title and passed on first reading and the Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on the 10th day of July, 2014, at 8:30 o'clock in the evening prevailing time, at the Municipal Building, 1000 Route 10 in Whippany, in said Township of Hanover, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

JOSEPH A. GIORGIO, TOWNSHIP CLERK
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

DATED: July 3, 2014