

**BOROUGH OF WESTWOOD
NOTICE**

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on first reading on regular meeting of the Mayor and Council on the 16th day of October, 2018, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 20th day of November, 2018 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

ORDINANCE NO. 18-37

AN ORDINANCE TO VACATE A PORTION OF BANK STREET, MORE PARTICULARLY REFERRED TO ON SCHEDULES "A" AND "B" ANNEXED HERETO.

WHEREAS, the Mayor and Council of the Borough of Westwood in the County of Bergen and State of New Jersey, has determined that it would be in the public interest to release any and all municipal or public interests in the property hereinafter described so that it may be properly maintained by the abutting landowner and so that it may be placed upon the Borough's tax rolls and thereby become a source of revenue; and

WHEREAS, the portion of the roadway to be vacated is described as set forth in the annexed Schedule "A"; and

WHEREAS, this portion of Bank Street in the Borough of Westwood serves no practical purpose and is not required for future development of the surrounding areas.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Westwood as follows:

Section I:

A. The Borough releases and extinguishes any and all municipal or public right which may exist arising from the dedication of the land described herein and as shown on **Schedule A** and **Schedule B** annexed hereto. Said property so released shall be effectually discharged from the public rights as though the dedication has not taken place, except for reservation of a sub-surface utility easement.

B. The Borough reserves unto itself a perpetual easement for subsurface utilities for the purposes of maintaining any below ground utilities as may exist.

Section II:

Pursuant to N.J.S.A. 40:49-6, the Borough Clerk is directed to mail, at least one week prior to such time fixed for further consideration for final passage of this Ordinance, a copy thereof together with a notice of the introduction and the time and place when and where the Ordinance will be further considered for final passage to every person whose lands may be affected by the Ordinance so far as the same may be ascertained. Pursuant to N.J.S.A. 40:49-6, this Ordinance shall be published at least ten (10) days prior to consideration for final passage.

Section III:

Within sixty (60) days of passage the Municipal Clerk shall file a certified copy of this Ordinance under seal of the Borough together with proof of publication in the County Recording Office, in accordance with N.J.S.A. 40:67-21 and such certified copy shall be recorded in the book entitled "Vacations".

Section IV, Restriction:

The lands which are the subject of this Ordinance are restricted from further subdivision or from any use violating the Borough's Zoning Ordinances. The lands so vacated shall be appended to abutting properties as provided by law.

Section V:

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section VI, Invalidity:

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section VII, Effective Date:

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Approved:

John J. Birkner, Mayor

Attest:

Karen Hughes, Borough Clerk



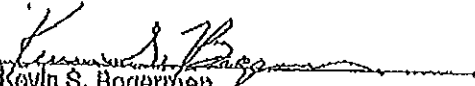
DESCRIPTION OF PROPOSED RIGHT-OF-WAY VACATION OF
BANK STREET ADJACENT TO LOT 1 AND LOT 25 IN BLOCK 1503
IN THE BOROUGH OF WESTWOOD, BERGEN COUNTY, NEW JERSEY

ALL that certain tract or parcel of land and premises, situate, lying, and being in the Borough of Westwood, County of Bergen, and State of New Jersey, described as follows:

BEGINNING at the point of intersection of the northerly side line of Bank Street (60 feet wide) and the easterly side line of Valley Avenue (60 feet wide) and running thence;

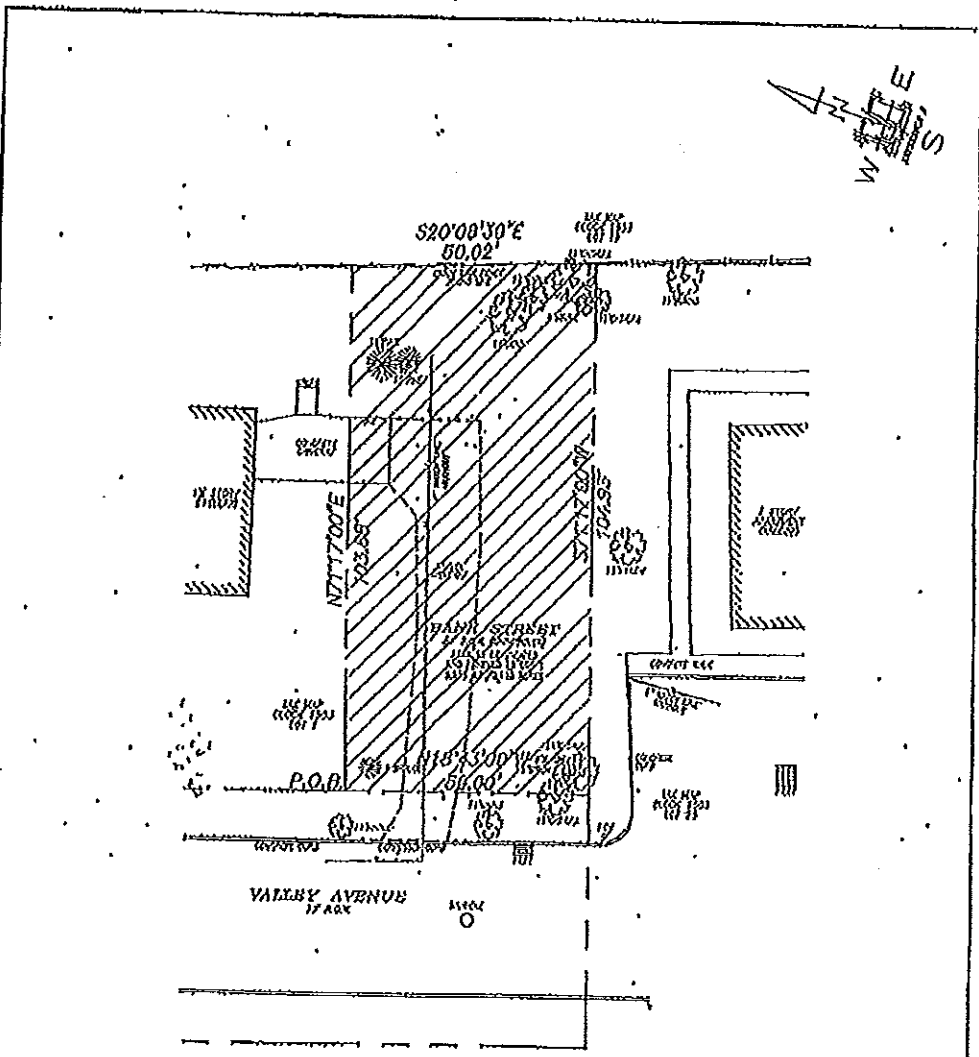
- 1) Along the said northerly side line, N 71°17'00" E, a distance of 103.68 feet to a point; thence
- 2) S 20°08'30" E, a distance of 60.02 feet to a point; thence
- 3) S 71°17'30" W, a distance of 104.93 feet to a point; thence
- 4) N 18°43'00" W, a distance of 80.00 feet to the point and place of Beginning.

The above description encompasses 5,215 square feet, 0.120 acres and is in accordance with a field survey and plan titled "Right of Way Survey, Bank Street Adjacent to Block 1503 - Lot 1 & Lot 25, Borough of Westwood, Bergen County, New Jersey" prepared by McNally Engineering, LLC of Oakland, NJ, dated 06/27/2012.


Kevin S. Bogerman
Professional Land Surveyor
NJ Lic. # 41379

SCHEDULE A

169 RAMAPO VALLEY ROAD, OAKLAND, NEW JERSEY 07436
TEL: 201.337.9051 • FAX: 201.337.3391
CERTIFICATE OF AUTHORIZATION 24GA27928700, EXP. 8/31/12

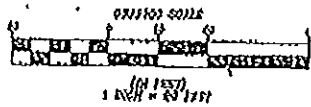


NOTES

1. THIS SURVEY IS MADE FROM THE RECORDS OF THE CITY AND COUNTY OF WESTWOOD, NEW JERSEY.
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7. THIS SURVEY IS MADE FROM THE RECORDS OF THE CITY AND COUNTY OF WESTWOOD, NEW JERSEY.

REFERENCES

1. RECORDS OF THE CITY AND COUNTY OF WESTWOOD, NEW JERSEY.
2. RECORDS OF THE CITY AND COUNTY OF WESTWOOD, NEW JERSEY.



12006		RIGHT-OF-WAY SURVEY	
KRYVIN S. BOORHMAN PROFESSIONAL LAND SURVEYOR 12-A15378			BANK STREET ADJACENT TO BLOCK 1503 - LOT 1 & LOT 25 BOROUGH OF WESTWOOD - DUROBY COUNTY, NEW JERSEY
			MCNALLY ENGINEERING, LLC. 169 RAMAPO VALLEY ROAD OAKLAND, NJ 07033 (201) 351-6011
DATE	12-11-17	SCALE	1" = 25'

SCHEDULE B