

**ORDINANCE NO. 2019-16
VACATING A PORTION OF
PARKERS COUNTRY ROAD
Between Block 124, Lot 11, & Block 123, Lot 2**

**RESOLUTION OF APPROVAL 2019-19
PLANNING BOARD, TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, on October 10, 2019, the Mayor and Township Committee have passed, on first reading, Ordinance No. 2019-16 (attached hereto and incorporated herein by reference) which provides for the vacation of the Township's interest in a portion of Parkers Country Road located on the west side of Parkertown Drive between Block 124, lot 11, and Block 123, lot 2; and

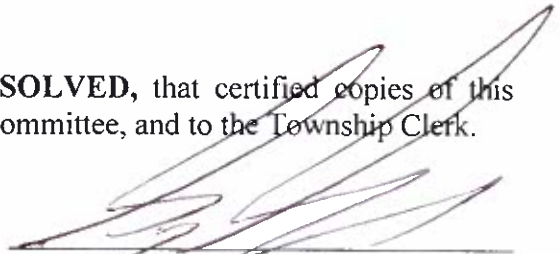
WHEREAS, said Ordinance has been referred to the Planning Board of Little Egg Harbor Township, in accordance with the permissive advisory powers of the planning board set forth in NJSA 40:55D-25(b)(3) and Township Code Section 299-15; and

WHEREAS, the Planning Board of Little Egg Harbor Township has fully examined Township Ordinance No. 2019-16 and approves the same for adoption by the governing body of the Township of Little Egg Harbor, there being no adverse impact upon any zoning or planning application or approval pending or previously approved by the Board, nor upon the Master Plan of the Township of Little Egg Harbor.

NOW, THEREFORE, BE IT RESOLVED, by the Little Egg Harbor Township Planning Board that Township Ordinance No. 2019-16 be and hereby is approved for adoption by the Mayor & Township Committee of the Township of Little Egg Harbor.

BE IT FURTHER RESOLVED, that the Little Egg Harbor Township Planning Board hereby recommends the adoption of the Township Ordinance No. 2019-16 without further comment.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to the Mayor & Township Committee, and to the Township Clerk.



GEORGE GARBARAVAGE, Chair

CERTIFICATION

I, **Robin Schilling**, Secretary of the Little Egg Harbor Township Planning Board, certify that the foregoing Resolution was duly adopted at a meeting held on November 7, 2019, a quorum being present and voting in the majority.



Robin Schilling, Board Secretary

ORDINANCE NO. 2019-16

ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING ALL THE RIGHT TITLE AND INTEREST OF THE TOWNSHIP OF LITTLE EGG HARBOR IN A PORTION OF PARKERS COUNTRY ROAD ON THE WEST SIDE OF PARKERTOWN DRIVE BETWEEN BLOCK 124, LOT 11 AND BLOCK 123, LOT 2

WHEREAS, the governing body of the Township of Little Egg Harbor has been requested to vacate all the right, title and interest of the municipality in a portion of Parkers Country Road on the west side of Parkertown Drive between Block 124, Lot 11 and Block 123, Lot 2; and

WHEREAS, the governing body makes the determination that the public will not be adversely affected by the vacation of the municipality's interest in this portion of Parkers Country Road; and

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title and interest of the public or all public usages and purposes in and to that portion of Parkers Country Road on the west side of Parkertown Drive between Block 124, Lot 11 and Block 123, Lot 2 as is set forth on Schedule "A," attached hereto and made a part hereof. However, the municipality does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S.48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L.1972, c. 1986 (C.48:5A-1 *et seq.*), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, 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 lands may be affected by the ordinance, so far as the same may be ascertained, directed to his last known post-office address pursuant to N.J.S.A. 40:49-6.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the municipality at least ten (10) days prior to the time fixed for consideration of the final passage of this ordinance.

SECTION 4. The Municipal Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.


SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

SECTION 6. A copy of Schedule "A" as referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's Office during normal business hours.

SECTION 7. The applicant shall be responsible for the payment of all attorneys' fees, engineering fees, publication costs and filing fees incurred by the Township of Little Egg Harbor in regard to this vacation.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 10th day of October, 2019, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 14th day of November, 2019, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

