

ORDINANCE 2026-05

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING A PORTION OF DRISCOLL DRIVE, CORLISS DRIVE AND RUTTER DRIVE

WHEREAS, the governing body of the Township of Little Egg Harbor has received a request to vacate all of the right, title and interest of the Township of Little Egg Harbor for portions of Driscoll Drive, Corliss Drive and Rutter Drive, off Thomas Avenue, with rights-of-way widths of thirty (30) feet, said rights-of-way bounded by:

- Block 86, Lots 3, 60, 72, 76, 82, and 84
- Block 87, Lot 37
- Block 90, Lots 11, 16, 21, 27, 31, 82 and 90
- Block 91, Lots 30 and 40
- Block 95, Lots 10 and 13; and

WHEREAS, the governing body makes the determination that the public will not adversely be affected by the vacation of the Township’s interest in the right-of-way/widening easement, which consists of a thirty (30’) foot wide access easements dedicated to the Township for future road widening and said easement bounded by the aforesaid Blocks and Lots; and

WHEREAS, N.J.S.A. 40:67-19 provides that if it shall appear to the governing body that the public interest will be better served by releasing those lands or any part thereof from such dedication, the governing body may by ordinance release and extinguish the public



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right arising from said dedication as to the whole or any part of those lands, and thereupon said lands or the part thereof so released shall be effectually discharged therefrom as though the dedication had not taken place; and

WHEREAS, the requirements of Township Code, Chapter 299, Article II, Street Vacations have been determined to have been satisfied; 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 for all public usages and purposes in the right-of-way/widening easement, which consists of portions of Driscoll Drive, Corliss Drive and Rutter Drive, off Thomas Avenue, with rights-of-way widths of thirty (30) feet, said rights-of-way bounded by:

- Block 86, Lots 3, 60, 72, 76, 82, and 84
- Block 87, Lot 37
- Block 90, Lots 11, 16, 21, 27, 31, 82 and 90
- Block 91, Lots 30 and 40
- Block 95, Lots 10 and 13

as is set forth on Exhibit A, report of the Township Engineer dated February 9, 2026, attached hereto and made a part hereof. However, the Township 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 cable television company, as defined in the “Cable Television Act,” P.L. 1972, c. 186, (C. 48:5A-1, et seq.), to maintain, repair and replace their existing a facilities in, adjacent to, over or under the



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street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. The aforementioned vacation shall be contingent upon Applicant, Ziman Trucking, LLC complying with the following requirements:

- a.** Payment of \$250 application fee.
- b.** \$1,250 payment for escrow fees.
- c.** Payment of any outstanding real estate taxers due on the lots listed above.
- d.** Payment of tax map maintenance fees associated with the road vacations.
- e.** Submission of metes and bounds descriptions for the vacation of these roadways to the Township Engineer for approval
- f.** Payment of a sum equal to the costs of preparation of the ordinance herein, of an amount in excess of the escrow deposit of \$250 for the services of the Township Attorney.
- g.** Payment of a sum equal to the costs of advertising this ordinance, said estimate of cost to be prepared by the Township Clerk.
- h.** Payment of a sum equal to the costs of recording the ordinance, said estimate of cost to be prepared by the Township Clerk.
- i.** Any of the requirements as directed pursuant to Township Code, Chapter 299, Article II, Street Vacations.

SECTION 3. Township Clerk shall provide a copy of this Ordinance to the Township Planning Board after introduction, requesting comment as to any impacts on traffic and circulation



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elements of the Master Plan. 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 stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 4. This ordinance shall be published at least once in an official newspaper of the Township at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 5. The Township 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 6. This ordinance shall take effect after second reading and publication as required by law.

SECTION 7. A copy of Exhibit A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

SECTION 8. Ziman Trucking, LLC shall be responsible for the payment of all attorneys' fees, engineering fees, publication costs and filing fees incurred by the Township in regard to this vacation.



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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 **19th** day of **February, 2026**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 12th day of **March, 2026**, at 7:00 p.m., in the Little Egg Harbor Municipal Building located at 665 Radio Road, in Little Egg Harbor Township, 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.

Kelly Lettera, CMC, RMC
Township Clerk
Township of Little Egg Harbor

Kenneth Laney, MAYOR
Township of Little Egg Harbor

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