

NOTICE OF INTRODUCTION

This Ordinance #2037 published herewith was introduced and passed upon first reading at the regular meeting of the Borough Council of the Borough of South Plainfield held on September 21, 2015. It will be further considered for final passage after a public hearing to be held on October 5, 2015, at the Municipal Building, 2480 Plainfield Avenue, South Plainfield, NJ at 7:00 p.m. or as soon thereafter as the matter may be heard, at which time and place any persons desire to be heard upon the same will be given an opportunity to be heard. Copies are available free of charge at the Municipal Clerk's Office prior to the public hearing. This ordinance shall take effect immediately after final passage and publication according to law.

Amy Antonides, RMC/CMC
Municipal Clerk

#2037 AN ORDINANCE VACATING THE BOROUGH'S AUTHORITY AND CONTROL OVER ASSIP PLACE, BERNARD PLACE, AND DOYLE PLACE, AND PORTIONS OF ANTHONY AVENUE, FARR AVENUE, FREDERICK AVENUE, ELSIE AVENUE, HIGHLAND AVENUE, AND MOOSE AVENUE

WHEREAS, there exists in the Borough of South Plainfield, County of Middlesex, State of New Jersey streets which are "paper streets" known as Anthony Avenue, Assip Place, Bernard Place, Doyle Place, Elsie Avenue, Farr Avenue, Frederick Avenue, Highland Avenue and Moose Avenue; and

WHEREAS, the referenced streets, or portions thereof, are contained within an area known as the Highland Woods Environmental Education Reserve, which area has been designated by the Borough as open space, and the Borough does not intend to ever develop the property known as Highland Woods Environmental Education Reserve; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Borough to release and extinguish public rights, and the rights of the Borough, arising from the dedication of a street;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of South Plainfield, County of Middlesex, State of New Jersey as follows:

1. The rights of the public and the Borough of South Plainfield in and to that portion of Anthony Avenue described more particularly in Schedule A annexed hereto and made a part hereof are hereby extinguished and vacated;

2. The rights of the public and the Borough of South Plainfield in and to Assip Place as described more particularly in Schedule B annexed hereto and made a part hereof are hereby extinguished and vacated;

3. The rights of the public and the Borough of South Plainfield in and to Bernard Place as described more particularly in Schedule C annexed hereto and made a part hereof are hereby extinguished and vacated;

4. The rights of the public and the Borough of South Plainfield in and to Doyle Place as described more particularly in Schedule D annexed hereto and made a part hereof are hereby extinguished and vacated;

5. The rights of the public and the Borough of South Plainfield in and to a portion of Elsie Avenue as described more particularly in Schedule E annexed hereto and made a part hereof are hereby extinguished and vacated;

6. The rights of the public and the Borough of South Plainfield in and to a portion of Farr Avenue as described more particularly in Schedule F annexed hereto and made a part hereof are hereby extinguished and vacated;

7. The rights of the public and the Borough of South Plainfield in and to a portion of Frederick Avenue as described more particularly in Schedule G annexed hereto and made a part hereof are hereby extinguished and vacated;

8. The rights of the public and the Borough of South Plainfield in and to a portion of Highland Avenue as described more particularly in Schedule H annexed hereto and made a part hereof are hereby extinguished and vacated;

9. The rights of the public and the Borough of South Plainfield in and to a portion of Moose Avenue as described more particularly in Schedule I annexed hereto and made a part hereof are hereby extinguished and vacated;

10. The Borough reserves all rights and privileges now possessed by public and private utilities to maintain, repair and replace their existing facilities in, adjacent to, over or under the streets being vacated, including, but not limited to, gas, water, cable, telephone, electric, sanitary sewers, storm sewers, any appurtenances or rights of ingress and egress relating thereto;

At least one week prior to the time affixed for 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 insofar as it may be ascertained.

The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file copies of this Ordinance certified by her under the seal of the Borough to be a true copy thereof, together with proof of publication thereof in the office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21.

This Ordinance shall take effect upon final passage and publication in accordance with New Jersey law.