

ORDINANCE 2329

**AN ORDINANCE VACATING THE BOROUGH'S AUTHORITY AND
CONTROL OVER PORTIONS OF LEHIGH AVENUE, MIDDLESEX AVENUE,
NEWARK STREET AND UNION STREET IN THE BOROUGH OF
SOUTH PLAINFIELD, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, Lehigh Avenue, Middlesex Avenue, Newark Street and Union Street are rights of way depicted in the Borough's current Tax Map; and

WHEREAS, the said rights of way are not developed, and exist within property which had been approved for subdivision development and which rights of way do not benefit such development and would constitute an impediment of such development; and

WHEREAS, it appears to be in the best interests of the public and of the Borough of South Plainfield that the aforesaid rights of way or portions of such rights of way be vacated as has been requested by the developer of such property; and

WHEREAS, vacation of such rights of way or portions of rights of way will allow the development which will provide the Borough with tax revenue; and

WHEREAS, the Borough Engineer has reviewed and approved the descriptions of the rights of way attached hereto as Schedules A through D; and

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

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 a portion of Lehigh Avenue as described more particularly in the attached Schedule A are hereby extinguished and vacated;

2. The rights of the public and the Borough of South Plainfield in and to a portion of Middlesex Avenue as described more particularly in the attached Schedule B are hereby extinguished and vacated;

3. The rights of the public and the Borough of South Plainfield in and to Newark Street and a portion of Washington Street as described more particularly in the attached Schedule C are hereby extinguished and vacated; and

4. The rights of the public and the Borough of South Plainfield in and to Union Street and a portion of Murphy Street as described more particularly in the attached Schedule D are hereby extinguished and vacated.

The Borough Clerk shall, within 60 days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of Borough to be a true copy thereof, together with proof of publication, 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.