

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2013-16

AN ORDINANCE TO VACATE A PUBLIC RIGHT OF WAY KNOWN AS A PORTION OF HEARLE DRIVE IN THE TOWNSHIP OF PEQUANNOCK

WHEREAS, Hearle Drive was dedicated as a public right of way by virtue of said street being laid out as a public road on a certain map entitled "Section 3 Green View Hills" filed in the Morris County Clerk's office as Map No. 2525 which contained a cul-de-sac bordering Block 3901 Lot 7 (31 Hearle Drive) which cul-de-sac was removed when Hearle Drive was expanded; and

WHEREAS, the Township of Pequannock has determined that it should vacate a portion of Hearle Drive constituting the portion of the cul-de-sac bordering Block 3901, Lot 7; and

WHEREAS, this portion of Hearle Drive serves no public purpose and is not required for street, road or public right of way purposes and it is deemed in the public interest that this portion of Hearle Drive be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Pequannock, in the County of Morris and State of New Jersey, as follows:

Section 1. The following portion of Hearle Drive shall be vacated and all municipal right, title and interest in this portion shall be vacated:

BEGINNING at a point on a curve in the southerly sideline of Hearle Drive, a 50 foot wide right of-way, distant the following two courses from the produced intersection of said sideline with the westerly sideline of Henry Place: a) North 86 degrees 50 minutes 00 seconds West 727.08 feet to a point of curvature; thence b) Westerly, a distance of 8.72 feet along the arc of a curve bearing to the left and having a radius of 76.11 feet to said Beginning point, and running thence,

- 1) Westerly, a distance of 30.40 feet along the arc of a curve bearing to the left and having a radius of 76.11 feet to a point of reverse curvature; thence
- 2) Westerly, a distance of 56.38 feet along the arc of a curve bearing to the right and having a radius of 40.00 feet to a point in the aforesaid sideline of Hearle Drive; thence
- 3) South 88 degrees 50 minutes 00 seconds East 79.61 feet along a new sideline of Hearle Drive to a point; thence
- 4) South 01 degrees 10 minutes 00 seconds West 0.50 feet to the point or place of Beginning.

Containing 706 square feet.

Section 2. That the vacation of the above property shall in no way affect any private rights which may exist at the time of passage and adoption of this Ordinance.

Section 3. That pursuant to law, all rights and privileges possessed by any public utility are hereby reserved and exempted from the effects of this Ordinance.

Section 4. That a copy of this Ordinance by the Township Clerk together with a certified copy of the proof of publication thereof shall be filed in the property County Office according to law.

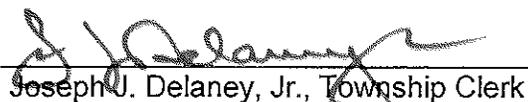
Section 5. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

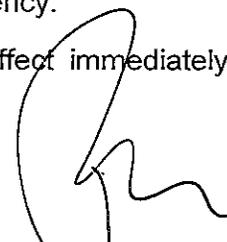
Section 6. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced: July 9, 2013

Adopted: July 23, 2013


Joseph J. Delaney, Jr., Township Clerk


Richard Rhelan, Mayor