

**TOWNSHIP OF SADDLE BROOK
ORDINANCE NO. 1709-21**

**AN ORDINANCE PROVIDING FOR THE VACATION OF
A CERTAIN PAPER STREET AND RIGHT-OF-WAY
LOCATED AT ADAMS AVENUE**

WHEREAS, the Township Council of the Township of Saddle Brook, County of Bergen, State of New Jersey, is of the opinion that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a right-of-way and/or paper street located at Adams Avenue as shown on the Saddle Brook Township Tax Map Sheets 1, 1.01 and 4. Adams Avenue is bounded by Lots 9 and 10 in Block 414 to the north, Lot 1 in Block 122 to the south and Lot 1 in Block 123 to the south and east, and North Seventh Street to the west, all located in Saddle Brook Township, Bergen County, New Jersey. ;

WHEREAS, the Township Council has received a letter from the adjoining property owners, Robert and Christine DePeola of 192 North Seventh Street, Saddle Brook, shown on the Saddle Brook Township Tax Map as Lot 10 in Block 414 requesting the vacation of the aforementioned property, which vacation would be implemented by the Township at the sole cost and expense of the aforementioned property owner;

WHEREAS, the Township previously vacated the aforementioned right-of-way/paper street by way of Ordinance No. 1370-05; however, such Ordinance inaccurately stated that the entire vacated area was to become part of the adjacent Lot 9 in Block 414;

WHEREAS, this Ordinance is intended to ratify the vacation of the Adams

Avenue right-of-way/paper Street and confirm that one half of the area to be vacated will be thereby conveyed to each of the adjoining property owners in accordance with applicable law;

WHEREAS, the aforementioned property owner, Robert & Christine DePeola, 192 North Seventh Street, Saddle Brook, has agreed to reimburse the Township for all reasonable professional fees expended with regard to the vacation of the aforementioned right-of-way and/or paper street;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Saddle Brook, Bergen County, State of New Jersey, as follows:

SECTION 1. The public rights and interests are hereby vacated with respect to a certain right-of way and/or paper street, which is more specifically described as follows:

The vacation of Adams Avenue located on the eastern side of North Seventh Street, and shown on the Township Tax Map Sheets 1, 1.01 and 4. Copies of such Tax Map Sheets are attached hereto collectively as Schedule “A”.

SECTION 2. Be it further ordained that all the rights of any and all public utilities and/or cable television companies are hereby expressly reserved and excepted from this vacation.

SECTION 3. It is the intent of the Township Council of Saddle Brook to vacate the aforementioned interests that the public may have in the property, and to provide that the property shall be conveyed, in its “as is” condition, to the adjoining property owners for no further consideration. A copy of the metes and bounds description

of the parcel to be conveyed to the owners of Lot 10 in Block 414 is attached hereto as Schedule "B". The other parcels adjoining the vacated Adams Avenue, specifically Lot 9 in Block 414, Lot 1 in Block 122 and Lot 1 in Block 123 are owned by the Township of Saddle Brook, and the remaining portions of the vacated right-of-way shall be annexed to those parcels in accordance with applicable law.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 6. This ordinance shall take effect after second reading and publication as required by Law.

ATTEST:

APPROVED:
TOWNSHIP OF SADDLE BROOK

Peter LoDico, Township Clerk

Karen D'Arminio, Council President

Mayor Robert D. White

Adopted: