

ORDINANCE NO. 2015 – 17

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES TO VACATE, RELEASE AND EXTINGUISH ANY AND ALL DEDICATION OF PUBLIC RIGHTS, OR ANY PUBLIC RIGHTS WHICH MAY HAVE HERETOFORE COME INTO BEING, IN A PORTION OF A 10-FOOT WIDE ALLEY LYING BETWEEN LOTS 9, 10 AND 11 OF BLOCK 59 AND LOT 12 OF BLOCK 59 IN THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

WHEREAS, there has heretofore been in existence a certain alley hereinafter more particularly described, of which a portion lying between Lots 9, 10 and 11 of Block 59 and Lot 12 of Block 59, and is no longer needed for public access; and

WHEREAS, the Borough Council of the Borough of Bradley Beach has determined that the public interest will best be served by now vacating, releasing and extinguishing any public rights which said municipality may have in the aforementioned portion of the 10-foot alley located between Lots 9, 10 and 11 of Block 59 and Lot 12 of Block 59, in the Borough of Bradley Beach, and more particularly described hereinafter, whether said rights be those of dedication of any other public rights in said alley;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Bradley Beach, in the County of Monmouth and State of New Jersey, that:

Section 1: Any and all dedication of public rights or any public rights which may heretofore come into being, in said aforementioned alley as mentioned above and in any way contained within the following described property, be and the same hereby are vacated, released and extinguished to the end that said lands be as effectively discharged therefrom as though no dedication or other public rights therein had ever existed, to wit:

Being known and designated as a portion of an unnamed alley (10' ROW) in Block 59 as shown on the current tax maps of the Borough of Bradley Beach, Monmouth County, New Jersey.

BEGINNING at a pin found in the northerly line of Third Avenue (various widths) at the southeasterly corn of Lot 12, Block 59. Said point being distant 129 feet measured along said line of Third Avenue (various widths) from its intersection with the easterly line of the New York and Long Branch Railroad; thence running along the northerly line of Third Avenue (various widths)

1. North 26 degrees 30 minutes 00 seconds East, a distance of 150.39 feet along the westerly of the unnamed alley (10' ROW) to a pin found; thence crossing the bed of said alley

2. South 67 degrees 20 minutes 51 seconds East, a distance of 10.02 feet to a disc found in the easterly line of said alley; thence along the easterly line of the unnamed alley (10' ROW)
3. South 26 degrees 30 minutes 00 seconds West, a distance of 150.41 feet to a point in the northerly line of Third Avenue (various widths); thence crossing the bed of aforesaid alley
4. North 67 degrees 14 minutes 00 seconds West, a distance of 10.02 feet to the point and place of **BEGINNING**.

This description is in accordance with a map entitled "Topographic Survey, Lots 9, 10, 11 & 12 Block 59, situated in Borough of Bradley Beach, Monmouth County, New Jersey prepared by FRD Surveying, LLC and last revised December 22, 2014.

Section 2: The Clerk of the Borough of Bradley Beach, within sixty (60 days) after this ordinance becomes effective, shall cause a copy of this ordinance, certified by her under the seal of the Borough of Bradley Beach, to be a true copy thereof, together with a copy of the proof of publication thereof, to be filed in the Office of the Clerk of the County of Monmouth as required by law.

This ordinance shall take effect on its final passage and publication according as provided by law.

MARYANN SOLINSKI, RMC, CMC
Borough Clerk

GARY ENGELSTAD
Mayor

Introduced: November 10, 2015

Date of Hearing and Adoption: November 24, 2015

Intro Date and Place of Publication: _____

Final Date and Place of Publication: _____