

TOWNSHIP OF FLORENCE

ORDINANCE 2019-20

AN ORDINANCE VACATING A 20-FOOT-WIDE UTILITY, DRAINAGE AND MAINTENANCE ACCESS EASEMENT LOCATED ON PORTIONS OF PROPERTY KNOWN AS BLOCK 88, LOT 1.03 AND BLOCK 88, LOT 1.04 IN THE TOWNSHIP OF FLORENCE

WHEREAS, there is within the Township of Florence certain real properties known as Block 88, Lot 1.03 and Block 88, Lot 1.04 ("Subject Properties") on the tax map of the Township of Florence ("Township") and more commonly known as 603 and 605 6th Street, Florence, New Jersey, respectively; and

WHEREAS, the record owners ("Record Owners") purchased title to the Subject Properties, as set forth in Deeds recorded in Deed Book 479, page 75 and Deed Book 4878, page 332 respectively in the Burlington County Clerk's office; and

WHEREAS, a 20-foot-wide utility, drainage and maintenance access easement ("Easement") has existed on a portion of the Subject Properties since 1994 as shown on the Township's tax map, dated February 2010 and attached hereto as "Exhibit A," and as referenced in the metes and bounds description of Block 88, Lot 1.03 attached hereto as "Exhibit B"; and

WHEREAS, a sanitary sewer pipe has never been installed in the Easement and subsequent land development has rendered any prospective need to utilize the Easement unnecessary; and

WHEREAS, the Easement is no longer needed for public use and it is the recommendation of the Township staff that vacation of the Easement is proper; and

WHEREAS, the Township Council of the Township of Florence has determined that it is in the public interest to vacate the Easement, as permitted by N.J.S.A. 40:67-19;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence in the County of Burlington, State of New Jersey that:

1. The above-referenced vacation of easement rights on the Subject Properties is hereby approved.

2. Any and all public rights in and to the Easement shown in Exhibit A and referenced in Exhibit B, which is recorded in Deed Book 479, page 75 et seq., as well as all or any portion of Block 88, Lot 1.03 and Block 88, Lot 1.04 encumbered thereby, are hereby vacated, released and extinguished.
3. The Mayor and Township staff are hereby authorized and directed to execute and deliver all documents to effectuate the vacation of the Easement on behalf of the Township of Florence.
4. The Township Council hereby directs the Township Clerk to file a copy of this Ordinance pursuant to the provisions of N.J.S.A. 40:67-21.
5. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
6. Effective Date. This Ordinance shall take effect upon its final passage, adoption, and publication on the earliest date permitted by law.
7. Severability. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

NANCY ERLSTON, RMC
TOWNSHIP CLERK

JERRY SANDUSKY
COUNCIL PRESIDENT

TOWNSHIP OF FLORENCE
NOTICE OF PENDING ORDINANCE
Ordinance No. 2019-20

AN ORDINANCE VACATING A 20-FOOT-WIDE UTILITY, DRAINAGE AND
MAINTENANCE ACCESS EASEMENT LOCATED ON PORTIONS OF PROPERTY
KNOWN AS BLOCK 88, LOT 1.03 AND BLOCK 88, LOT 1.04 IN THE
TOWNSHIP OF FLORENCE

Take Notice that the Ordinance identified above which authorizes the Township to vacate a 20-foot-wide utility, drainage and maintenance access easement located on portions of property known as Block 88, Lot 1.03 and Block 88, Lot 1.04 in the Township has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on September 4, 2019. It will be considered for final passage after public hearing to be held on September 18, 2019, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Nancy L. Erlston, RMC
Township Clerk