

**WANTAGE TOWNSHIP  
ORDINANCE # 2010-10**

**ORDINANCE TO VACATE A PORTION OF BLACK DIRT ROAD  
IN THE TOWNSHIP OF WANTAGE**

**WHEREAS**, there exists in the Township of Wantage a public street known as Black Dirt Road; and

**WHEREAS**, the Mayor and Committee of the Township of Wantage has determined that a portion of Black Dirt Road is no longer needed for a public purpose; and

**WHEREAS**, no residences front on that portion of Black Dirt Road that is intended to be vacated; and

**WHEREAS**, that portion of Black Hill Road to be vacated is fully described in the attached Appendix to this Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Wantage as follows:

1. The rights of the public in and to a portion of the public street known as Black Dirt Road as fully described in the attached Appendix are hereby distinguished and vacated.
2. Expressly reserved and accepted from this vacation ordinance are all rights and privileges possessed by public utilities as defined in N.J.S.A. 48:2-13 and any cable television company as defined in the "Cable Television Act", N.J.S.A. 48:5A-1 et seq., to maintain or repair their existing facilities adjacent to, over and under the street to be vacated. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines, and telephone, electric and cable television wires and poles which may be located beneath the surface of the vacated road.

3. The Township Clerk shall within sixty (60) days of the effective date of this ordinance file a copy of this ordinance certified by him under the seal of the Township to be a true copy thereof, together with proof of publication thereof, in the Office of the Clerk of the County of Sussex in the Book of Vacations in accordance with the provisions of N.J.S.A. 40:67-21.

**Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Effective Date.** This ordinance shall take effect after publication and passage according to law.

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Clara Nuss, Mayor

ATTEST:

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James Doherty, Municipal Clerk/Administrator

**NOTICE** is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 11<sup>th</sup> day of November, 2010. It will be further considered for final passage after public hearing at a meeting of the Mayor and Committee to be held in the Municipal Building, 888 Route 23, Wantage, NJ, on December 9, 2010, at 7:00 p.m., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

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James Doherty, Municipal Clerk/Administrator

HAROLD E. PELLOW & ASSOCIATES, INC.  
Consulting Engineers, Planners & Land Surveyors  
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DESCRIPTION OF  
VACATION OF A PORTION OF BLACK DIRT ROAD  
IN  
TOWNSHIP OF WANTAGE

All that certain tract or parcel of land and premises situate, lying and being in the Township of Wantage, County of Sussex, and the State of New Jersey.

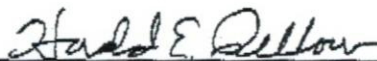
BUTTED, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING at a point at the intersection of the centerline of Black Dirt Road with the southerly right-of-way line of County Route 651, also known as Unionville Road; thence running the following eight courses along or near the centerline of said Black Dirt Road. Said courses are taken from a map prepared by Caffrey & Associates, Inc., and titled, "Final Plat Prepared for Lot 4, Block 34, Situated in the Township of Wantage, County of Sussex, New Jersey, Scale 1" = 100'" dated December 22, 2006. The final map has never been filed in the Sussex County Clerk's Office; thence

- 1) South 44 degrees 38 minutes 02 seconds West 100.16 feet to a point; thence
- 2) South 28 degrees 00 minutes 19 seconds West 150.00 feet to a point; thence
- 3) South 10 degrees 20 minutes 52 seconds West 461.12 feet to a point; thence
- 4) South 11 degrees 59 minutes 48 seconds East 129.66 feet to a point; thence
- 5) South 33 degrees 44 minutes 18 seconds East 132.43 feet to a point; thence
- 6) South 26 degrees 07 minutes 45 seconds East 285.29 feet to a point; thence
- 7) South 35 degrees 57 minutes 31 seconds East 237.23 feet to a point; thence
- 8) South 21 degrees 44 minutes 10 seconds East 136.30 feet to a point. Said point being opposite the most northerly lot line of Tax Lot 3.02, Block 34 and also opposite the most northerly property line of Tax Lot 1.04, Block 30.

The intent of this description is to vacate a 33-foot wide right-of-way as shown on the current Wantage Township Tax Map running from County Route 651 to Tax Lot 3.02, Block 34 and Tax Lot 1.04, Block 30.

This description written November 10, 2010 by Harold E Pellow & Associates, Inc., Consulting Engineers, 17 Plains Road, Augusta, New Jersey 07822-2009.

  
Harold E. Pellow, P.E. & L.S.  
New Jersey Professional Engineer and Land Surveyor #13329  
Certificate of Authorization No. 24GA27959300